

CITY OF MOLALLA

ORDINANCE No. 2014 - 19

**AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA,
WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE
COMPREHENSIVE PLAN AND REZONING PROPERTY.**

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being all of Lots 7 & 8 of the Plat of "Cascade Acres No. 1" (Plat No. 642) and all of Lots 23 & 24 of the Plat of "Hadley Addition" (Plat No. 1777), all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08AC01900

Tax Lot No. 52E08AC01800

Tax Lot No. 52E08AC02600

Tax Lot No. 52E08AC02590

Tax Lot No. 52E08AC02890

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The properties are currently:

- Tax Lot No. 52E08AC01900 Residential – In Use
- Tax Lot No. 52E08AC01800 Residential – In Use
- Tax Lot No. 52E08AC02600 Residential – In Use
- Tax Lot No. 52E08AC02590 Residential – In Use
- Tax Lot No. 52E08AC02890 Residential – In Use

In accordance with ORS 222.750, the properties listed in this ordinance are annexed into the City of Molalla will have an effective date of annexation three (3) years from the effective date of this ordinance, unless ownership of property changes. Annexation is effective immediately upon any change in ownership. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Record this ordinance with Clackamas County within sixty days of the effective date of this ordinance;
4. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
5. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

312 & 317 S. Leroy Avenue,
402 & 404 Carol Court
Annexation to the City of Molalla

Exhibit A

A Tract of land being all of Lots 7 & 8 of the Plat of "Cascade Acres No. 1" (Plat No. 642) and all of Lots 23 & 24 of the Plat of "Hadley Addition" (Plat No. 1777), all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northwesterly corner of the Plat of "Clark Estates" (Plat No. 3934), said point being on the Easterly right of way line of S. Leroy Avenue; thence North 82°00'00" West, at right angles to said S. Leroy Avenue, a distance of 60.00 feet to a point on the Westerly right of way line of said S. Leroy Avenue; thence North 08°00'00" East, along said Westerly right of way line, a distance of 219.92 feet to a point; thence South 82°00'00" East, at right angles to said S. Leroy Avenue, a distance of 60.00 feet to a point on said Easterly right of way line, said point also being the Southwesterly corner of Partition Plat No. 2003-049; thence South 82°00'00" East, along the Southerly boundary line of said Partition Plat No. 2003-049, a distance of 300.25 feet to the Southeasterly corner thereof, said point also being on the Westerly line of said Plat of "Hadley Addition"; thence South 08°00'00" West, along said Westerly line, a distance of 81.67 feet to the Northwesterly corner of said Lot 24 of said "Hadley Addition"; thence South 82°00'00" East, along the North line of said Lot 24, a distance of 118.00 feet to the Northeast corner thereof, said point also being on the Westerly right of way line of Carol Court; thence South 08°00'00" West, along said Westerly right of way line, a distance of 52.55 feet to a point of curve; thence continuing along said Westerly right of way line, along a 10.00 foot radius curve to the right, through a central angle of 54°19'00", an arc distance of 9.48 feet (the long chord of said curve bears South 35°09'30" West a distance of 9.13 feet) to a point of reverse curve; thence continuing along said Westerly right of way line, along a 50.00 foot radius curve to the left, through a central angle of 98°41'50", an arc distance of 86.13 feet (the long chord of said curve bears South 12°58'05" West a distance of 75.87 feet to the Southeasterly corner of Lot 23 of said "Hadley Addition";



EXHIBIT A

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thence South 53°37'10" West, along the Southeasterly line of said Lot 23, a distance of 150.08 feet to a point on the boundary line common to said "Hadley Addition" and said "Clark Estates"; thence North 08°00'00" East, along said common line, a distance of 102.97 feet to the Northeasterly corner of said "Clark Estates"; thence North 82°00'00" West, along the Northerly line of said "Clark Estates", a distance of 300.25 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 2.2829 acres (99,444 square feet), more or less.

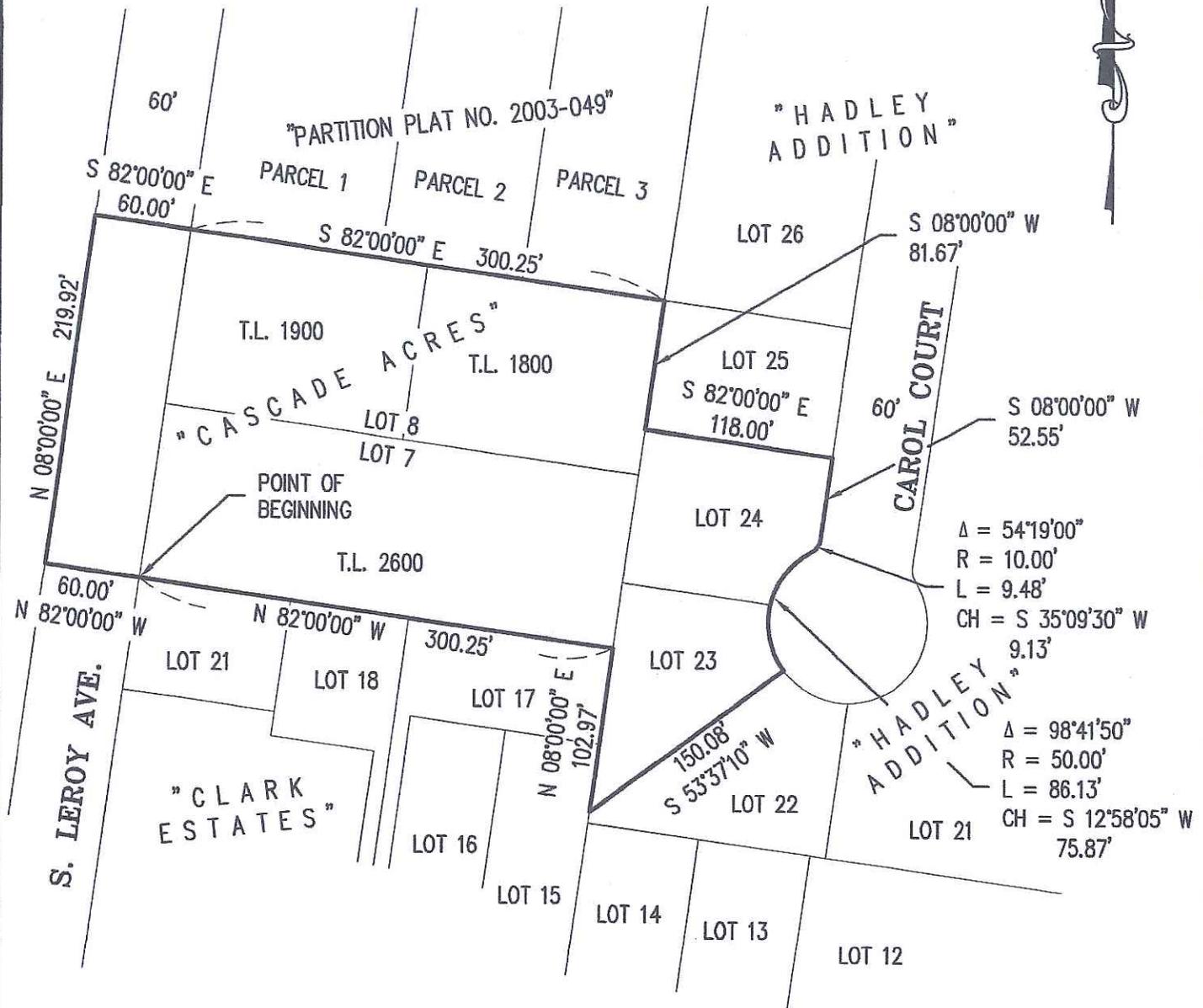
The bearings and distances in this description are based on the Plats of "Clark Estates" and "Hadley Addition", and on Clackamas County Survey No. 2005-119.



EXHIBIT A

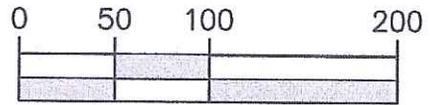
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312 & 317 S. LEROY AVENUE,
 402 & 404 CAROL COURT
 CITY OF MOLALLA ANNEXATION
 EXHIBIT "B"



AREA TO BE ANNEXED
 (2.2829 ACRES
 99,444 SQUARE FEET)

GRAPHIC SCALE



(IN FEET)
 1 INCH = 100 FEET

LOCATED IN THE N.E. 1/4 SECTION 8,
 T.5S., R.2E., W.M., CLACKAMAS CO., OR

EXHIBIT A

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TITLE: EXHIBIT "B"	
PLOT DATE: 12-10-13	
FILE: W1202-7M.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
 3737 S.E. 8TH AVE.
 PORTLAND, OREGON 97202
 (503) 235-8795



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:



MARSON FRANK J SR
317 S LEROY AVE
MOLALLA, OR 97038

Site Address: **317 S LEROY AVE**
 Taxlot Number: **52E08AC01900**
 Land Value: **68425**
 Building Value: **114960**
 Total Value: **183385**

Acreage:
 Year Built: **1948**
 Sale Date:
 Sale Amount: **0**
 Sale Type:

Land Class:
101
 Building Class:
14
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):
 Zone **RRFF5**
 Overlays:
 Acreage: **0.39**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas County**

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:

MARSON FRANK J SR
317A S LEROY AVE
MOLALLA, OR 97038



Site Address: **317A S LEROY AVE**
 Taxlot Number: **52E08AC01800**
 Land Value: **17404**
 Building Value: **1300**
 Total Value: **18704**

Acreage: **0.00**
 Year Built:
 Sale Date:
 Sale Amount: **0**
 Sale Type:

Land Class:
101

Building Class:

Neighborhood:

Molalla rural north 100,

Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R1		0.00
RRFF5		0.36

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas County**

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:

BLACKBURN WILLIAM ROBERT & GAIL E
312 S LEROY AVE
MOLALLA, OR 97038



Site Address: **312 S LEROY AVE**
 Taxlot Number: **52E08AC02600**
 Land Value: **75625**
 Building Value: **113470**
 Total Value: **189095**

Acreage:
 Year Built: **1948**
 Sale Date:
 Sale Amount: **0**
 Sale Type:

Land Class:
101
 Building Class:
13
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.76

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas County**

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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

HETTICK RICHARD K & SHIRLEY
404 CAROL CT
MOLALLA, OR 97038

Site Address: **404 CAROL CT**
Taxlot Number: **52E08AC02590**
Land Value: **23988**
Building Value: **0**
Total Value: **23988**

Acreage:
Year Built:
Sale Date:
Sale Amount: **0**
Sale Type:

Land Class:
100
Building Class:
Neighborhood:
City of Molalla 100, 101
Taxcode Districts: **035013**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.11

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **Wave Broadband (Molalla)**
CPO: **Molalla**
Garb/Recyc: **Molalla Sanitary**
City/County: **Clackamas County**

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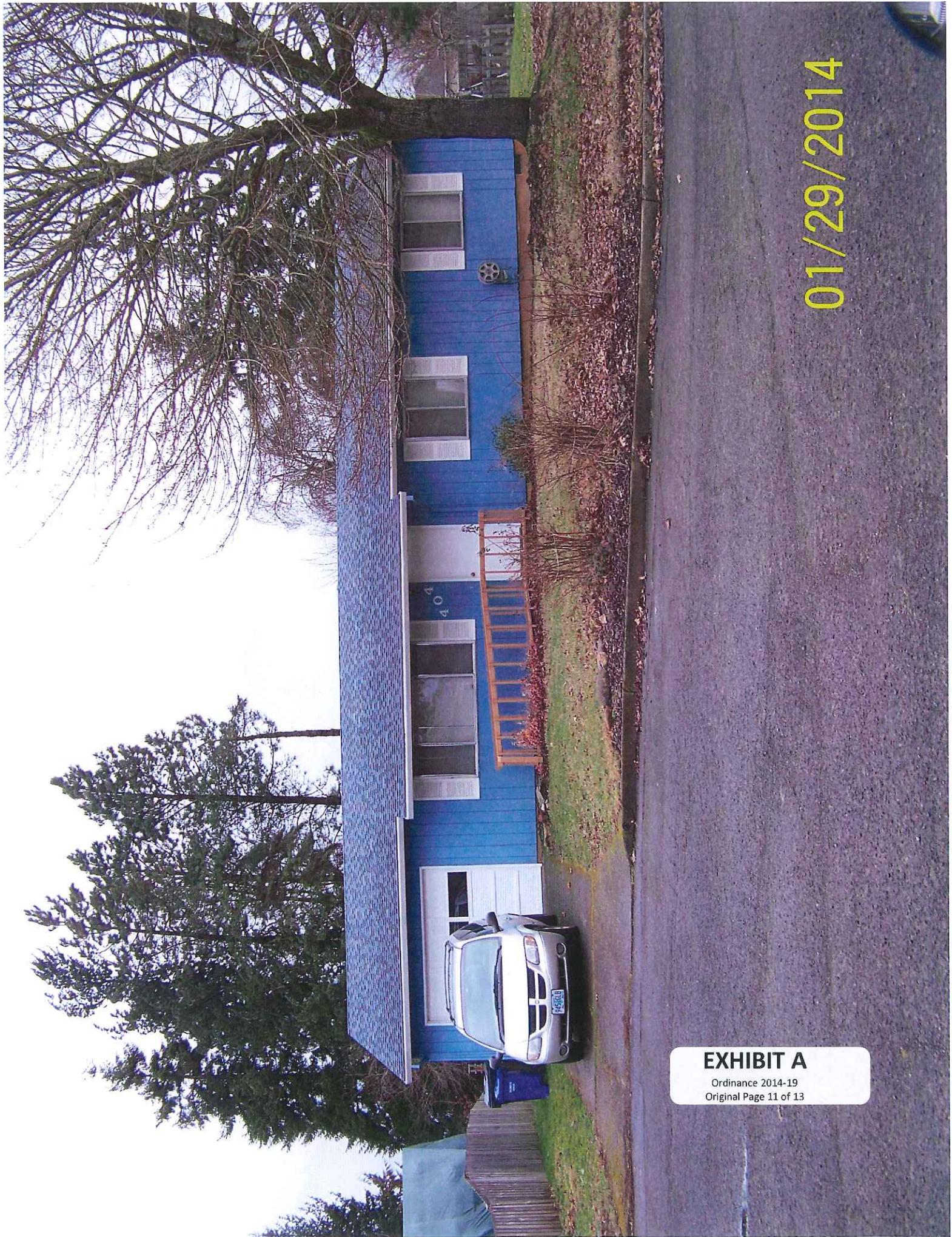


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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

BATTIN I LAUREL
402 CAROL CT
MOLALLA, OR 97038

Site Address: **402 CAROL CT**
 Taxlot Number: **52E08AC02890**
 Land Value: **48913**
 Building Value: **73560**
 Total Value: **122473**

Acreage: **0.00**
 Year Built: **1974**
 Sale Date:
 Sale Amount: **0**
 Sale Type:

Location Map:



Land Class:

101

Building Class:

13

Neighborhood:

City of Molalla 100, 101

Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

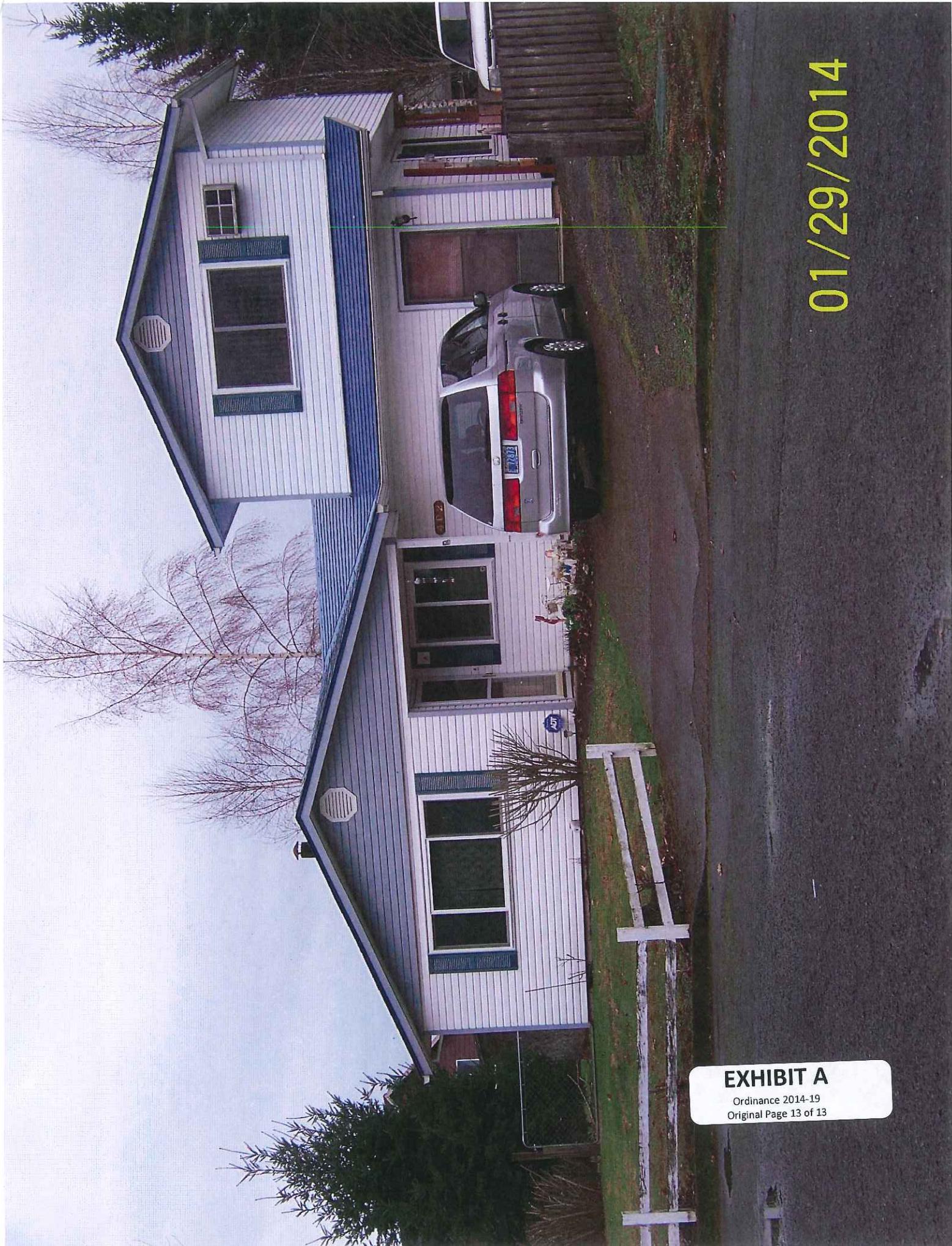
Zone	Overlays:	Acreage:
R1		0.00
RRFF5		0.18

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas County**

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CITY OF MOLALLA
ORDINANCE No. 2014 - 20

**AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA,
WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE
COMPREHENSIVE PLAN AND REZONING PROPERTY.**

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being a portion of the Plat of "Trinity Estates" (Plat No. 4076) located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08BA00201

Tax Lot No. 52E08BA00202

Tax Lot No. 52E08BA00203

Tax Lot No. 52E08BA00204

Tax Lot No. 52E08BA00205

Tax Lot No. 52E08BA00206

Tax Lot No. 52E08BA00207

Tax Lot No. 52E08BA00208

Tax Lot No. 52E08BA00209

Tax Lot No. 52E08BA00210

Tax Lot No. 52E08BA00211

Tax Lot No. 52E08BA00212

Tax Lot No. 52E08BA00216

Tax Lot No. 52E08BA00217

Tax Lot No. 52E08BA00218
Tax Lot No. 52E08BA00219
Tax Lot No. 52E08BA00220
Tax Lot No. 52E08BA00221
Tax Lot No. 52E08BA00222
Tax Lot No. 52E08BA00223
Tax Lot No. 52E08BA00224
Tax Lot No. 52E08BA00225

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, R-3 (Multi-Family Residential) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08BA00201	Residential – In Use
Tax Lot No. 52E08BA00202	Residential – In Use
Tax Lot No. 52E08BA00203	Residential – In Use
Tax Lot No. 52E08BA00204	Residential – In Use
Tax Lot No. 52E08BA00205	Residential – In Use
Tax Lot No. 52E08BA00206	Residential – In Use
Tax Lot No. 52E08BA00207	Residential – In Use
Tax Lot No. 52E08BA00208	Residential – In Use
Tax Lot No. 52E08BA00209	Residential – In Use
Tax Lot No. 52E08BA00210	Residential – In Use
Tax Lot No. 52E08BA00211	Residential – In Use
Tax Lot No. 52E08BA00212	Residential – In Use
Tax Lot No. 52E08BA00216	Residential – In Use
Tax Lot No. 52E08BA00217	Residential – In Use
Tax Lot No. 52E08BA00218	Residential – In Use
Tax Lot No. 52E08BA00219	Residential – In Use
Tax Lot No. 52E08BA00220	Residential – In Use
Tax Lot No. 52E08BA00221	Residential – In Use
Tax Lot No. 52E08BA00222	Residential – In Use
Tax Lot No. 52E08BA00223	Residential – In Use
Tax Lot No. 52E08BA00224	Residential – In Use
Tax Lot No. 52E08BA00225	Residential – In Use

In accordance with ORS 222.750, the properties listed in this ordinance will have an effective date of annexation three (3) years from the effective date of this ordinance, unless ownership of property changes. Annexation is effective immediately upon any change in ownership. The annexation is

supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Record this ordinance with Clackamas County within sixty days of the effective date of this ordinance;
4. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
5. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

Trinity Estates
Annexation to the City of Molalla

Exhibit A

A Tract of land being a portion of the Plat of "Trinity Estates" (Plat No. 4076) located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Southwesterly corner of said Plat of "Trinity Estates", said point being on the Northerly right of way line of S. Toliver Road; thence North 07°49'54" East, along the Westerly boundary of said Plat, a distance of 633.67 feet to the Northwesterly corner of said Plat; thence South 82°29'35" East, along the Northerly boundary of said Plat, a distance of 288.92 feet to a point that is 133.00 feet Westerly of, when measured at right angles, the Easterly boundary line of said Plat; thence South 07°50'16" West, parallel with and 133.00 feet Westerly of, when measured at right angles, said Easterly line of said Plat, a distance of 633.80 feet to a point on said Northerly right of way line of said S. Toliver Road; thence South 07°32'00" West, at right angles to said S. Toliver Road, a distance of 50.00 feet to a point on the Southerly right of way line of said S. Toliver Road; thence North 82°28'00" West, along said Southerly right of way line, a distance of 288.85 feet to a point; thence North 07°32'00" East, at right angles to said S. Toliver Road, a distance of 50.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 4.5344 acres (197,517 square feet), more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

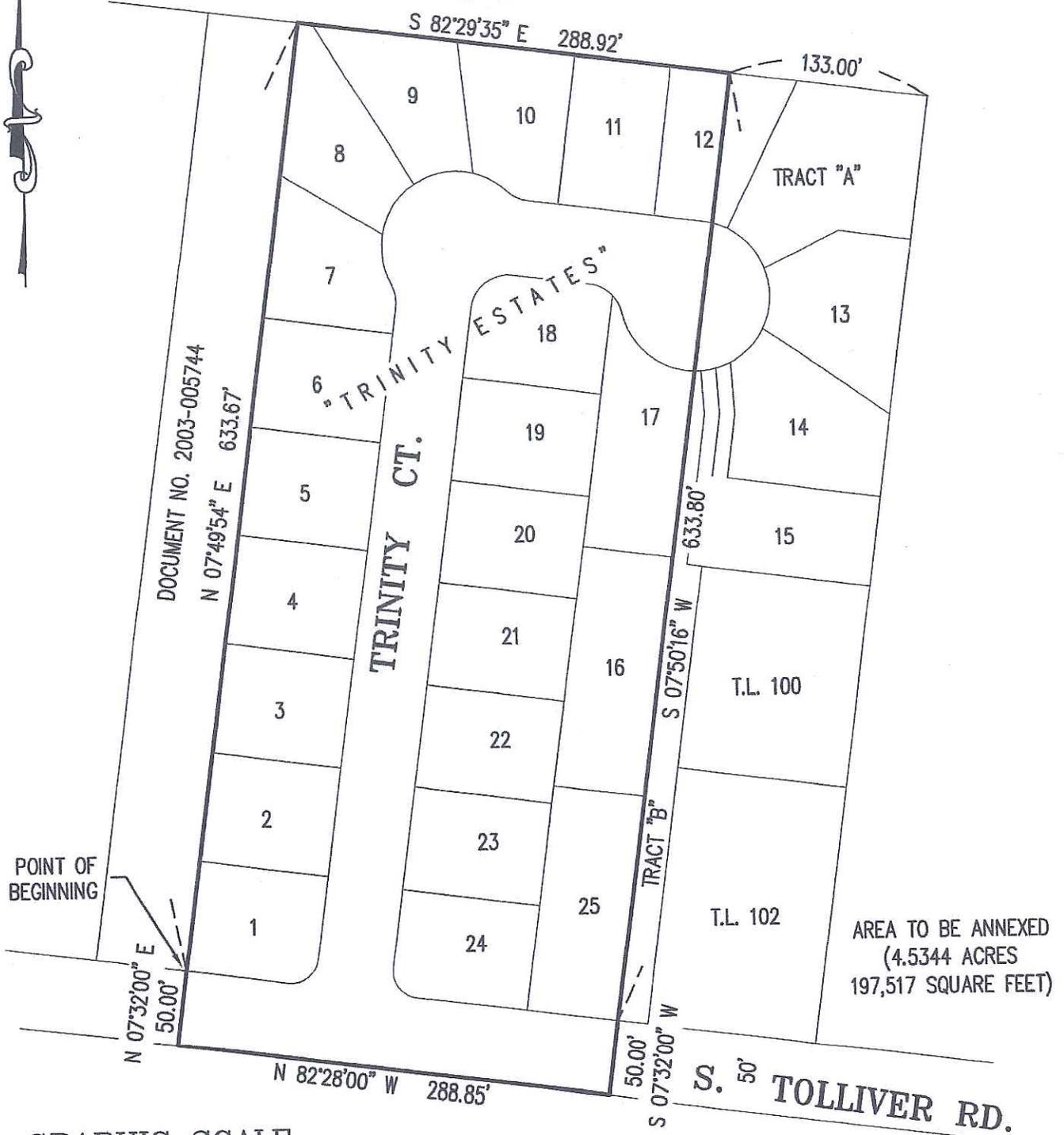
Chris Fischborn

OREGON
JULY 17, 1961
CHRIS FISCHBORN
1944

EXHIBIT A

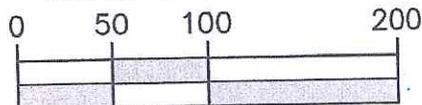
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TRINITY ESTATES
CITY OF MOLALLA ANNEXATION
EXHIBIT "B"



AREA TO BE ANNEXED
(4.5344 ACRES
197,517 SQUARE FEET)

GRAPHIC SCALE



(IN FEET)
1 INCH = 100 FEET

LOCATED IN THE N.W. 1/4 SECTION 8,
T.5S., R.2E., W.M., CLACKAMAS CO., OR

EXHIBIT A
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TITLE: EXHIBIT "B"	
PLOT DATE: 11-19-13	
FILE: W1202-7N.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
3737 S.E. 8TH AVE.
PORTLAND, OREGON 97202
(503) 235-8795

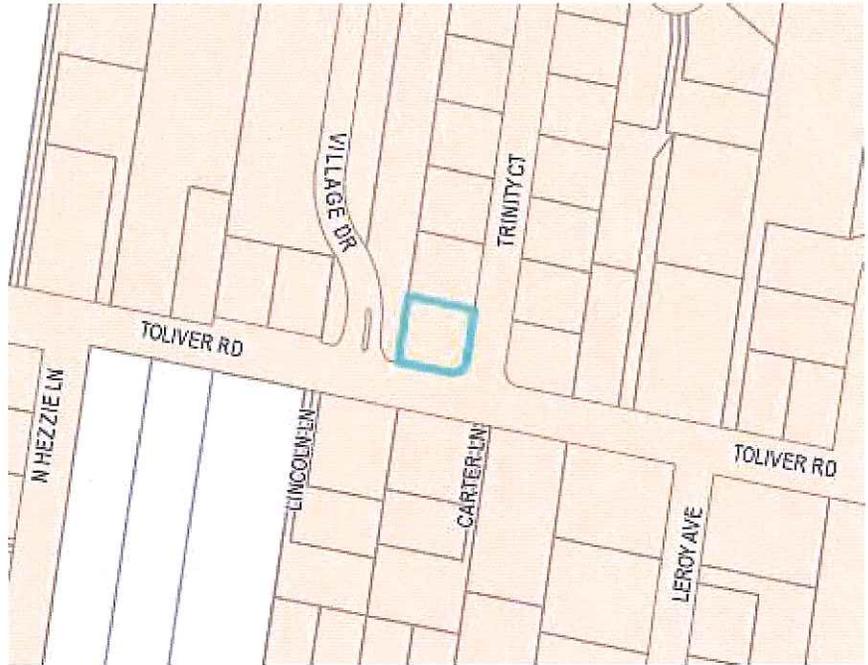


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:

MURRELL ZACH & TESSA
646 TRINITY CT
MOLALLA, OR 97038



Site Address: **646 TRINITY CT**
 Taxlot Number: **52E08BA00201**
 Land Value: **69834**
 Building Value: **104970**
 Total Value: **174804**

Acreage:
 Year Built: **2011**
 Sale Date: **08/02/2011**
 Sale Amount: **180000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

EXHIBIT A

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01/28/2014

EXHIBIT A

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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

Location Map:



JOHNSON TERESA LYNN
660 TRINITY CT
MOLALLA, OR 97038

Site Address: **660 TRINITY CT**
Taxlot Number: **52E08BA00202**
Land Value: **69834**
Building Value: **111120**
Total Value: **180954**

Acreage:
Year Built: **2008**
Sale Date: **07/20/2012**
Sale Amount: **0**
Sale Type: **S**

Land Class:
101
Building Class:
14
Neighborhood:
City of Molalla newer
Taxcode Districts: **035013**

Site Characteristics:
UGB: **MOLALLA**
Flood Zone: **Not Available**

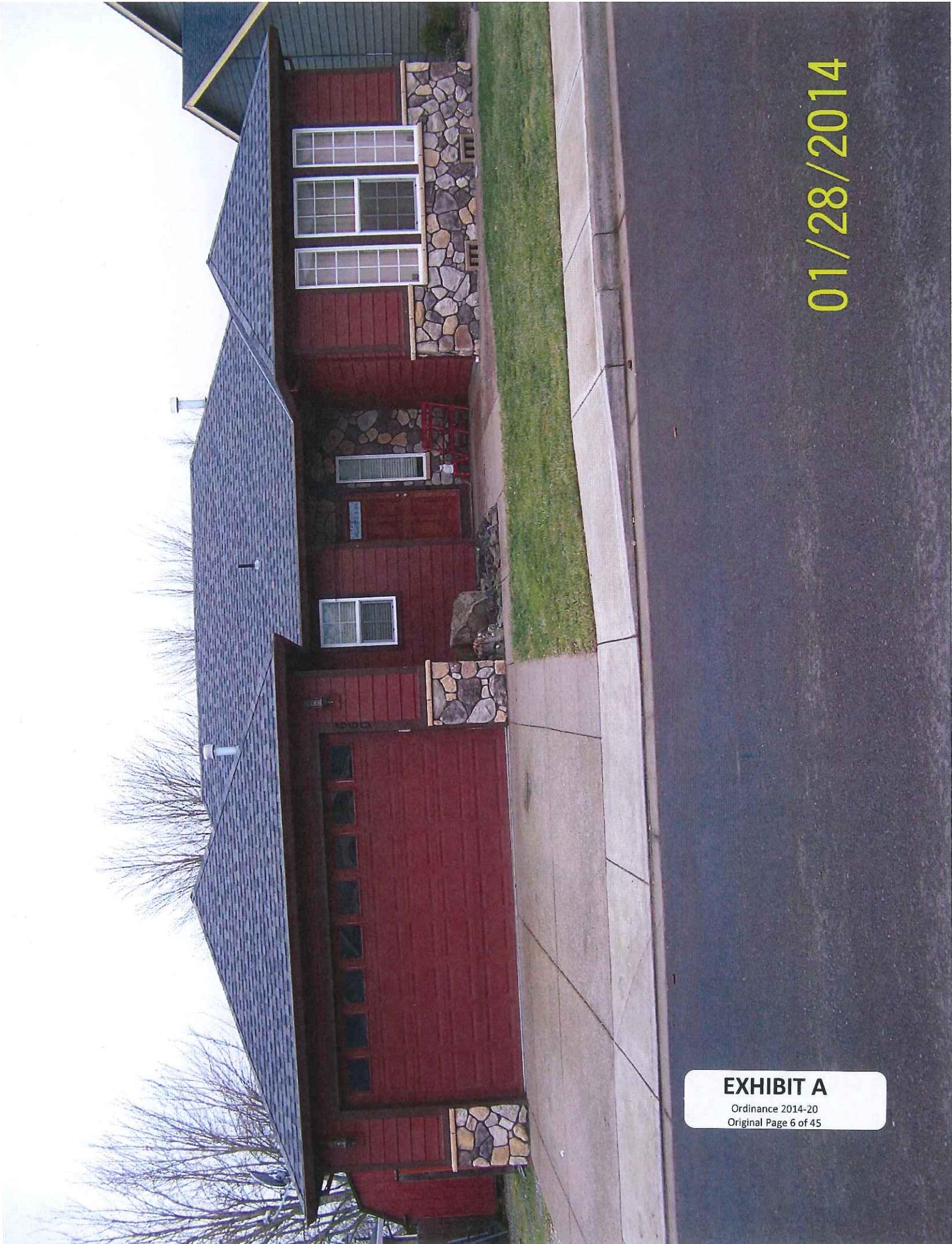
Zoning Designation(s):
Zone **Overlays:** **Acreage:**
R3 **0.14**

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **City**
CPO: **City**
Garb/Recyc: **Molalla Sanitary**
City/County: **Molalla**

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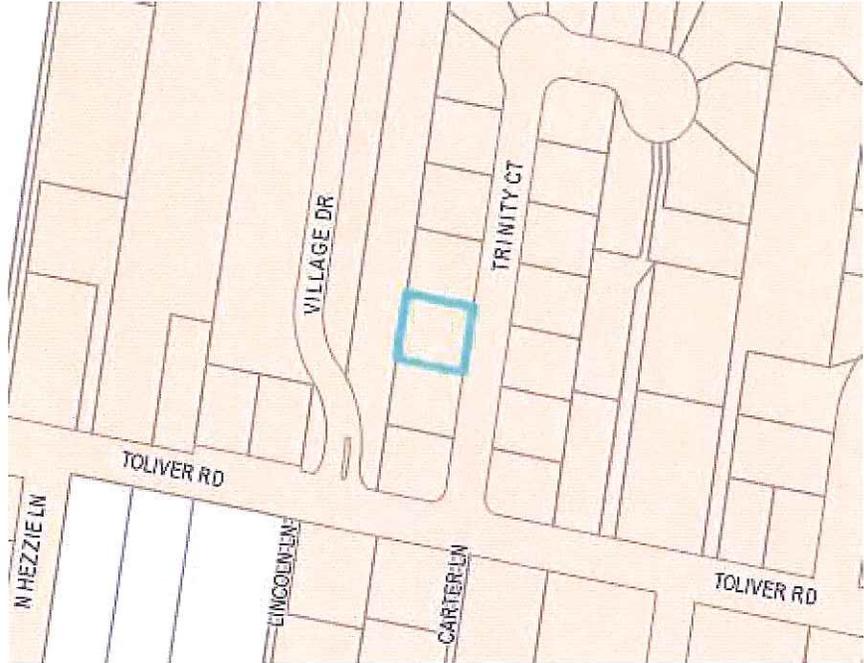
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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

Location Map:



**VANNICE MARY
682 TRINITY CT
MOLALLA, OR 97038**

Site Address: **682 TRINITY CT**
Taxlot Number: **52E08BA00203**
Land Value: **69834**
Building Value: **139340**
Total Value: **209174**

Acreage:
Year Built: **2007**
Sale Date: **05/20/2009**
Sale Amount: **255000**
Sale Type: **S**

Land Class:
101
Building Class:
14
Neighborhood:
City of Molalla newer
Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **City**
CPO: **City**
Garb/Recyc: **Molalla Sanitary**
City/County: **Molalla**

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Property Report

KUTCHER LANI & BECKY
692 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: **692 TRINITY CT**
 Taxlot Number: **52E08BA00204**
 Land Value: **69834**
 Building Value: **110430**
 Total Value: **180264**

Acreage:
 Year Built: **2006**
 Sale Date: **01/30/2012**
 Sale Amount: **199950**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Property Report

**SANTOS CARLOS S
 700 TRINITY CT
 MOLALLA, OR 97038**

Location Map:



Site Address: **700 TRINITY CT**
 Taxlot Number: **52E08BA00205**
 Land Value: **69834**
 Building Value: **114000**
 Total Value: **183834**

Acreage:
 Year Built: **2006**
 Sale Date: **09/17/2012**
 Sale Amount: **183000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):
 Zone Overlays: Acreage:
R3 **0.14**

Fire **Molalla RFPD #73**
 Park **N/A**
 School **SCH 35 MOLALLA RIVER**
 Sewer **N/A**
 Water **N/A**
 Cable **City**
 CPO **City**
 Garb/Recyc **Molalla Sanitary**
 City/County **Molalla**

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Property Report

Location Map:



OLSEN MATT & JENNIFER
706 TRINITY CT
MOLALLA, OR 97038

Site Address: **706 TRINITY CT**
Taxlot Number: **52E08BA00206**

Land Value: **69834**
Building Value: **110480**
Total Value: **180314**

Acreage:
Year Built: **2006**
Sale Date: **04/18/2007**
Sale Amount: **269000**
Sale Type: **S**

Land Class:
101
Building Class:
14
Neighborhood:
City of Molalla newer
Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **City**
CPO: **City**
Garb/Recyc: **Molalla Sanitary**
City/County: **Molalla**

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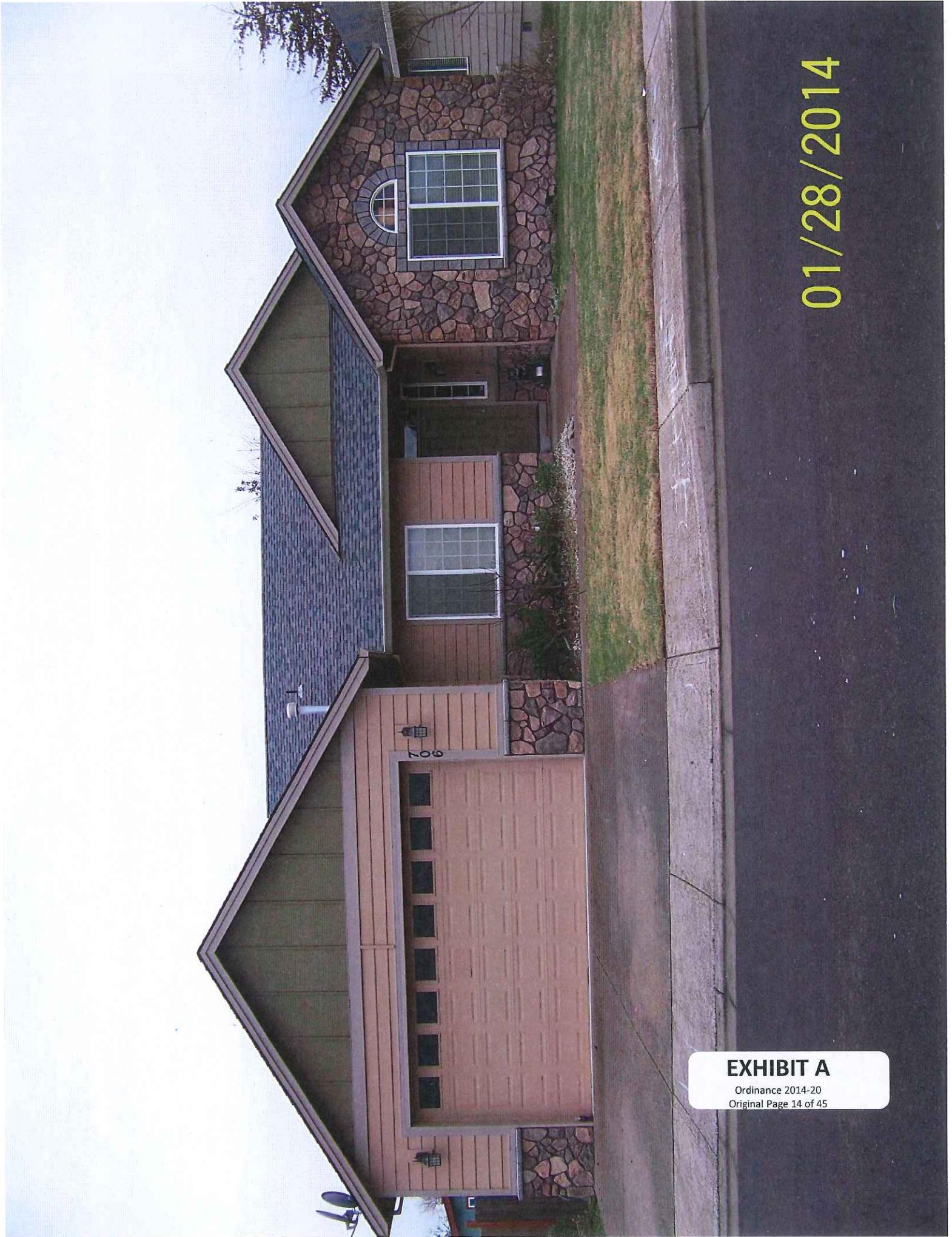


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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

RUTLEDGE TOM & JANICE L
712 TRINITY CT
MOLALLA, OR 97038

Site Address: **712 TRINITY CT**
Taxlot Number: **52E08BA00207**

Land Value: **69834**
Building Value: **108200**
Total Value: **178034**

Acreage:
Year Built: **2010**
Sale Date: **07/27/2010**
Sale Amount: **219000**
Sale Type: **S**

Land Class:
101
Building Class:
14
Neighborhood:
City of Molalla newer
Taxcode Districts: **035013**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):

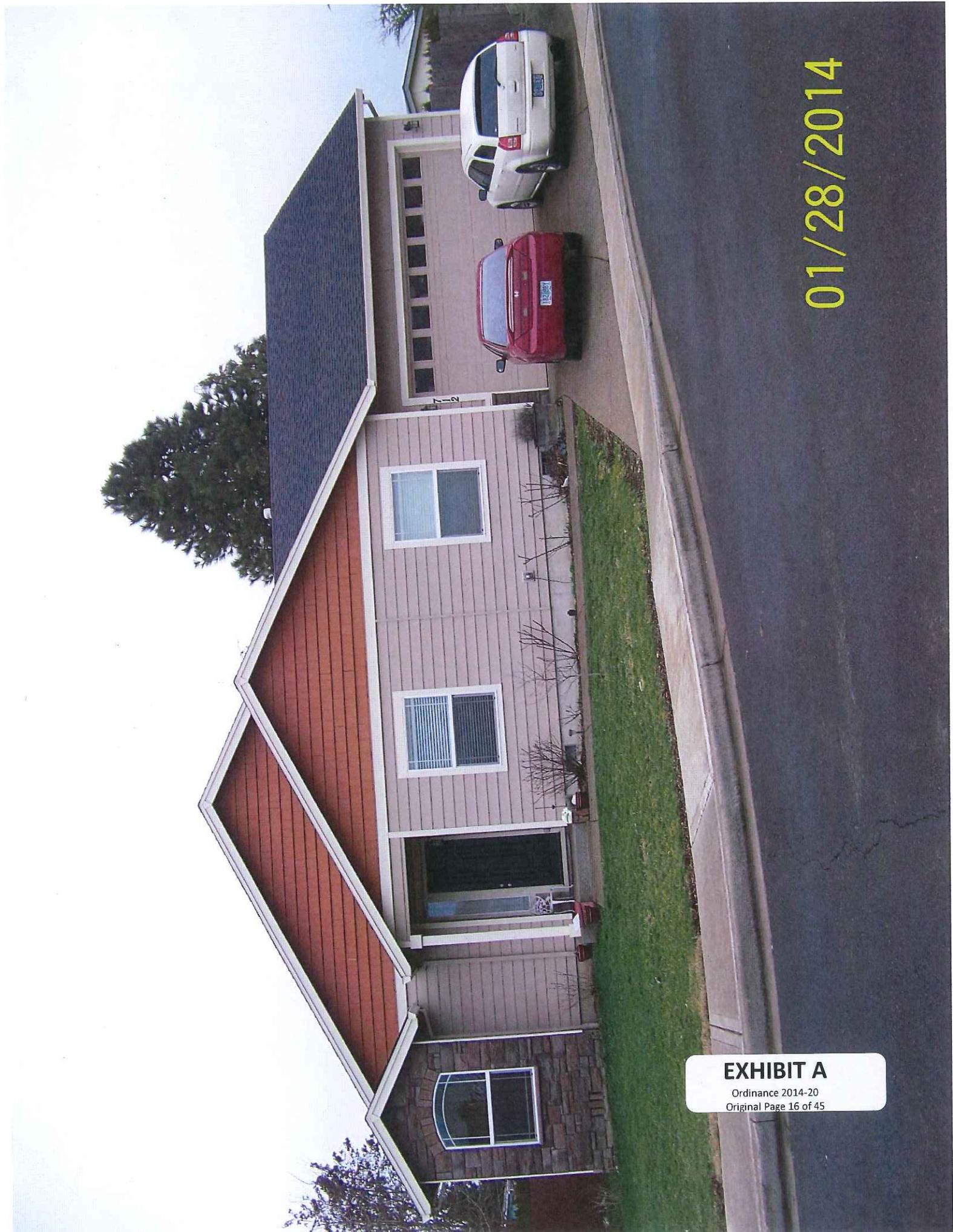
Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **City**
CPO: **City**
Garb/Recyc: **Molalla Sanitary**
City/County: **Molalla**

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Property Report

SCHULTZ GARY R & LYLA J
718 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: **718 TRINITY CT**
 Taxlot Number: **52E08BA00208**
 Land Value: **69834**
 Building Value: **112800**
 Total Value: **182634**

Acreage:
 Year Built: **2010**
 Sale Date: **04/15/2011**
 Sale Amount: **200000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.15

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Property Report

STRAUB JESSIE J & BREAL C
724 TRINITY CT
MOLALLA, OR 97038

Site Address: **724 TRINITY CT**
 Taxlot Number: **52E08BA00209**
 Land Value: **69834**
 Building Value: **106080**
 Total Value: **175914**

Acreage:
 Year Built: **2010**
 Sale Date: **06/28/2010**
 Sale Amount: **204900**
 Sale Type: **S**

Location Map:



Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

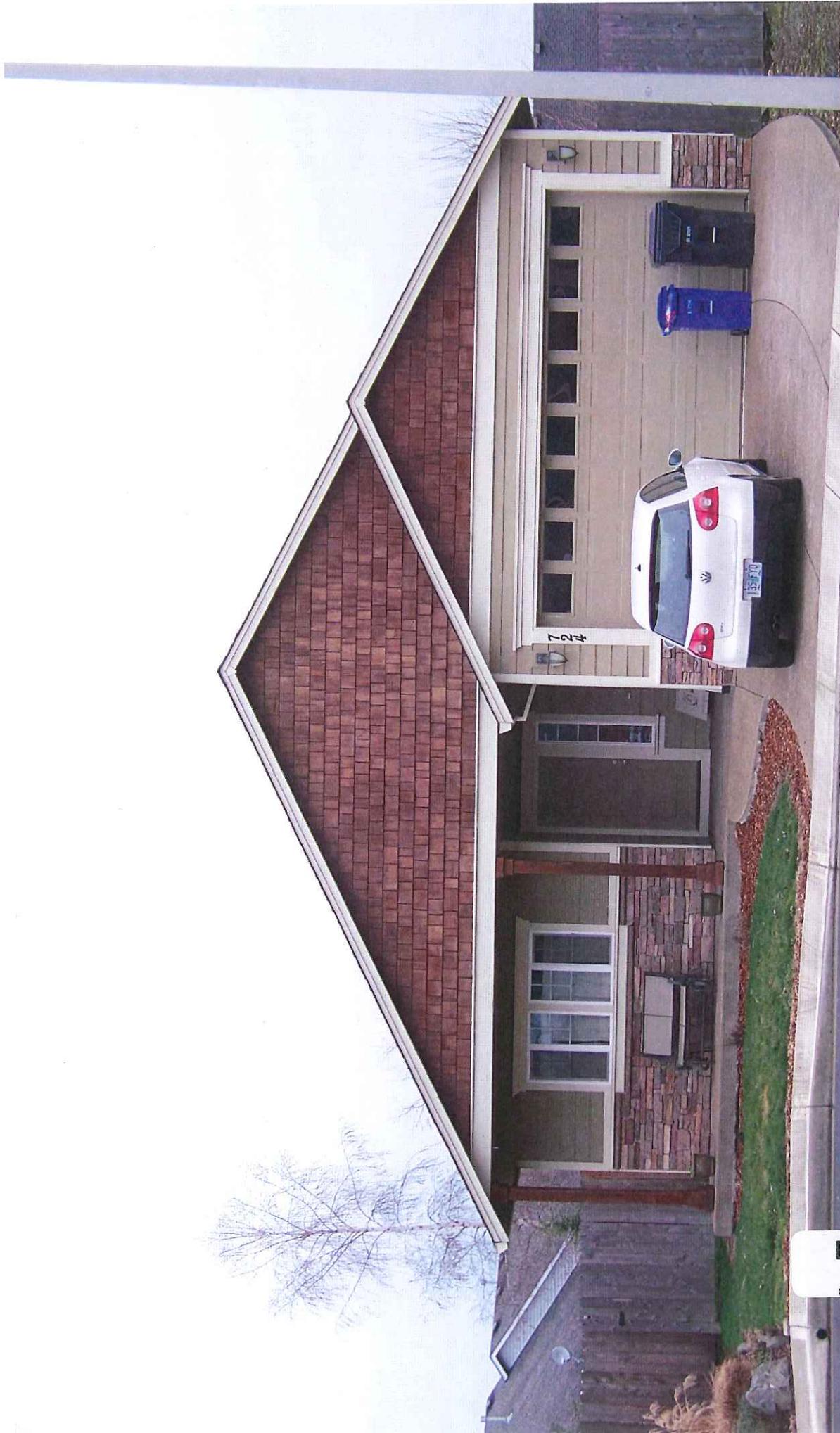
Zoning Designation(s):
 Zone **R3** Overlays: Acreage: **0.15**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Property Report

Location Map:



LIMBECK PAUL A & TRACY E
730 TRINITY CT
MOLALLA, OR 97038

Site Address: **730 TRINITY CT**
 Taxlot Number: **52E08BA00210**
 Land Value: **69834**
 Building Value: **112450**
 Total Value: **182284**

Acreage:
 Year Built: **2008**
 Sale Date: **11/11/2009**
 Sale Amount: **235000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

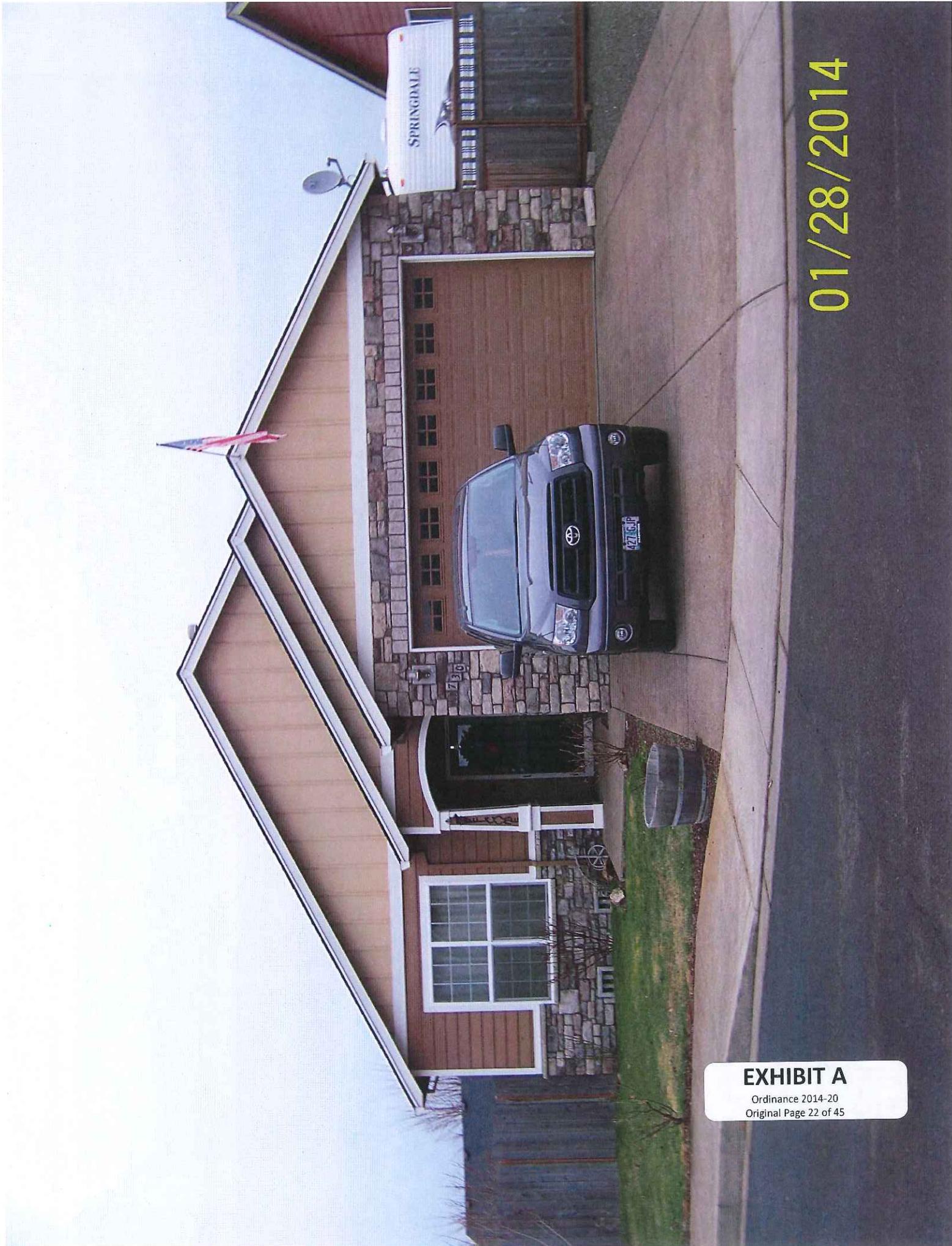
Zoning Designation(s):
 Zone **R3**
 Overlays:
 Acreage: **0.15**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Property Report

SMITH LESLIE A
736 TRINITY CT
MOLALLA, OR 97038

Site Address: **736 TRINITY CT**
Taxlot Number: **52E08BA00211**
Land Value: **69834**
Building Value: **140770**
Total Value: **210604**

Acreage:
Year Built: **2007**
Sale Date: **10/12/2007**
Sale Amount: **326000**
Sale Type: **S**

Land Class:
101
Building Class:
14
Neighborhood:
City of Molalla newer
Taxcode Districts: **035013**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.15

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **City**
CPO: **City**
Garb/Recyc: **Molalla Sanitary**
City/County: **Molalla**

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Property Report

RENARD JOSEPH F
742 TRINITY CT
MOLALLA, OR 97038

Site Address: **742 TRINITY CT**
 Taxlot Number: **52E08BA00212**
 Land Value: **46699**
 Building Value: **116620**
 Total Value: **163319**

Acreage:
 Year Built: **2008**
 Sale Date: **09/23/2009**
 Sale Amount: **259000**
 Sale Type: **M**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.09

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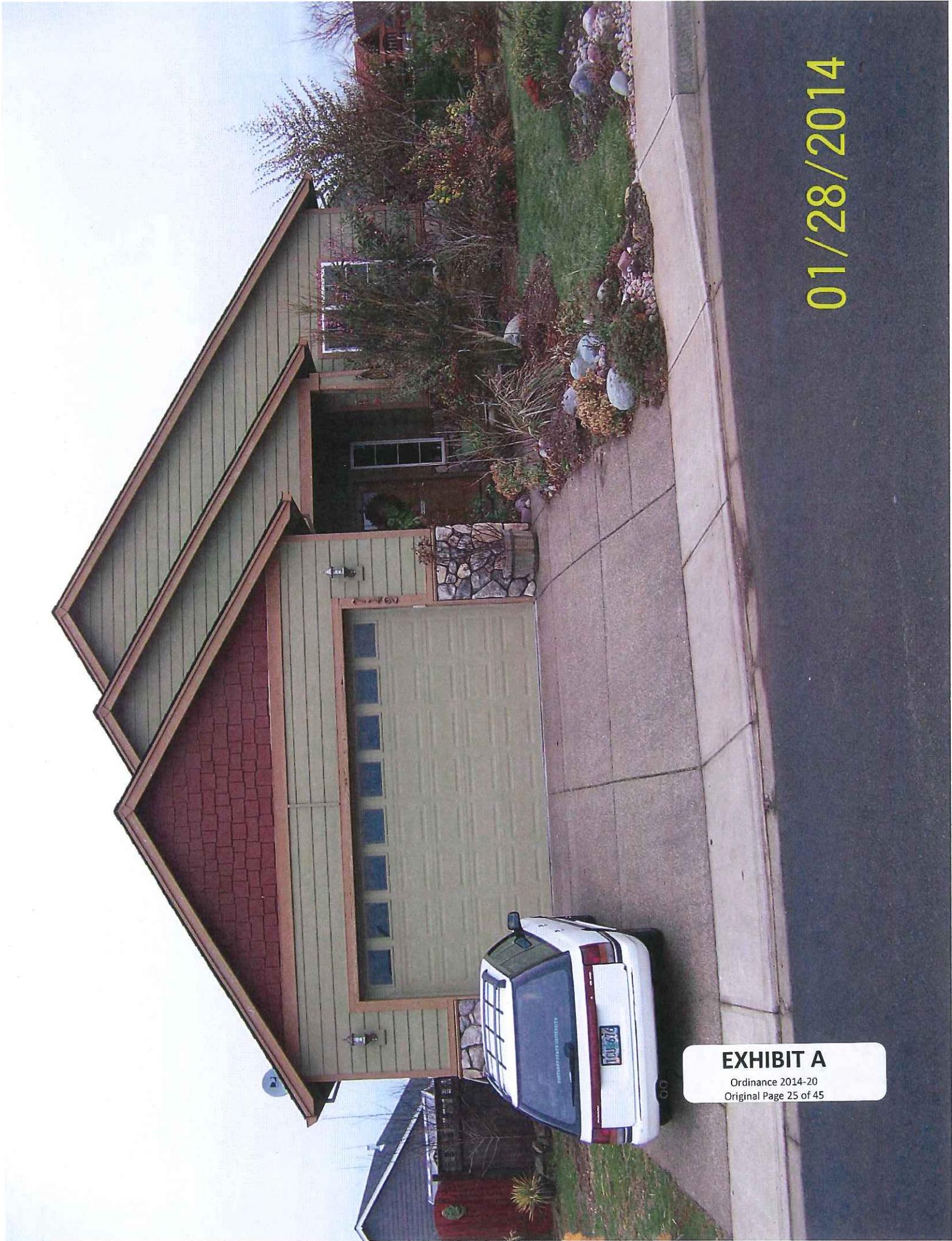


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Geographic Information Systems
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 Oregon City, OR 97045

Property Report

BEHREND'S MARILYN S
737 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: **737 TRINITY CT**
 Taxlot Number: **52E08BA00217**
 Land Value: **73477**
 Building Value: **121050**
 Total Value: **194527**

Acreage:
 Year Built: **2007**
 Sale Date: **04/23/2008**
 Sale Amount: **275000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

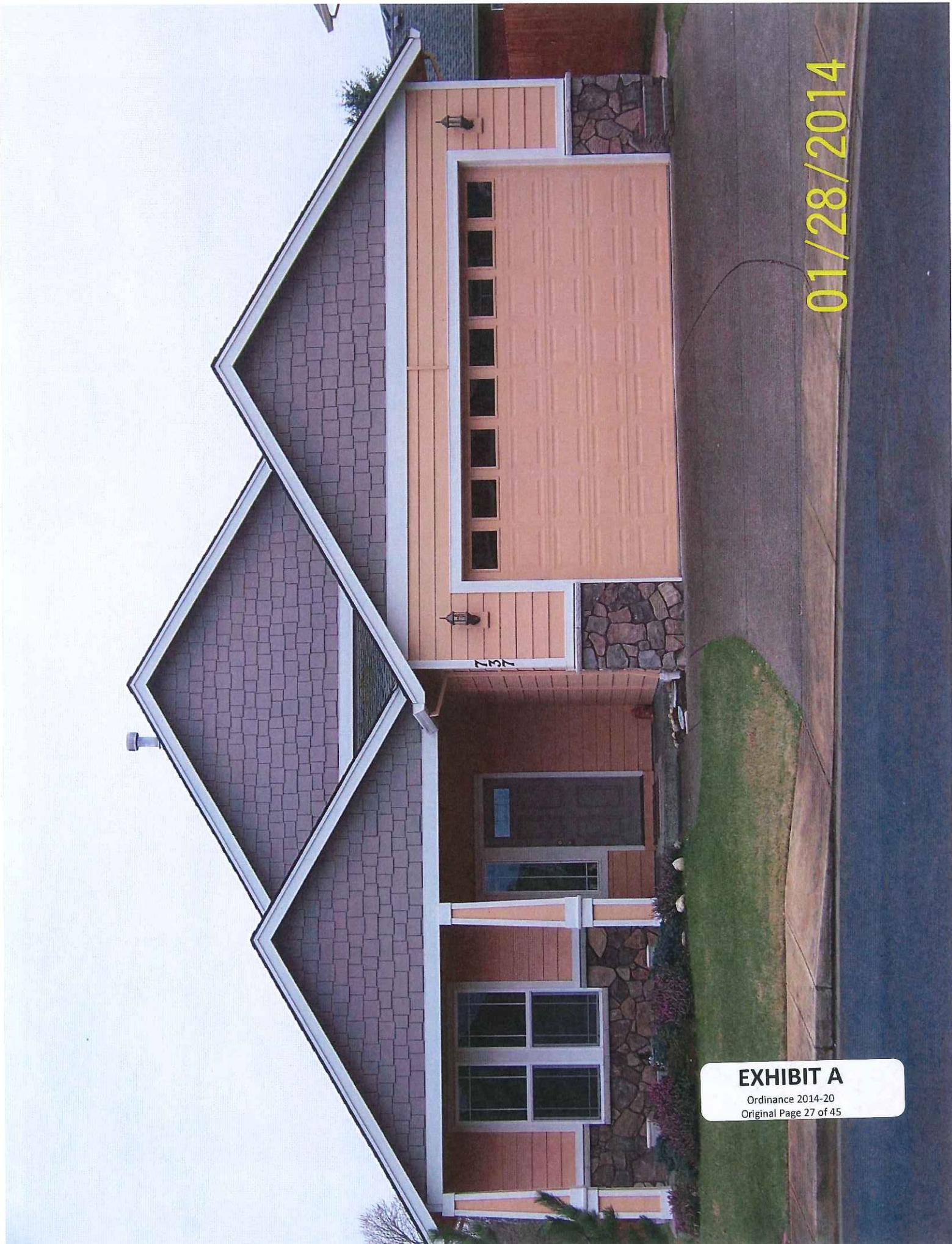
Zone	Overlays:	Acreage:
R3		0.19

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Property Report

BRITTINGHAM THOMAS J & NICOLE R
741 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: 741 TRINITY CT
 Taxlot Number: 52E08BA00216
 Land Value: 75298
 Building Value: 160330
 Total Value: 235628

Acreage: 0.22
 Year Built: 2011
 Sale Date: 05/31/2011
 Sale Amount: 233000
 Sale Type: S

Land Class:

101

Building Class:

15

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Site Characteristics:

UGB: MOLALLA

Flood Zone: Not Available

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.22
R3		0.03

Fire: Molalla RFPD #73
 Park: N/A
 School: SCH 35 MOLALLA RIVER
 Sewer: N/A
 Water: N/A
 Cable: City
 CPO: City
 Garb/Recyc: Molalla Sanitary
 City/County: Molalla

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:



ALYEA HAROLD E & MARY L
805 TOLIVER RD
MOLALLA, OR 97038

Site Address: **800 TRINITY CT**
 Taxlot Number: **52E08BA00225**
 Land Value: **73477**
 Building Value: **145690**
 Total Value: **219167**

Acreage:
 Year Built: **2006**
 Sale Date: **02/21/2008**
 Sale Amount: **292000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):
 Zone **R3**
 Overlays:
 Acreage: **0.21**

Fire **Molalla RFPD #73**
 Park **N/A**
 School **SCH 35 MOLALLA RIVER**
 Sewer **N/A**
 Water **N/A**
 Cable **City**
 CPO **City**
 Garb/Recyc **Molalla Sanitary**
 City/County **Molalla**

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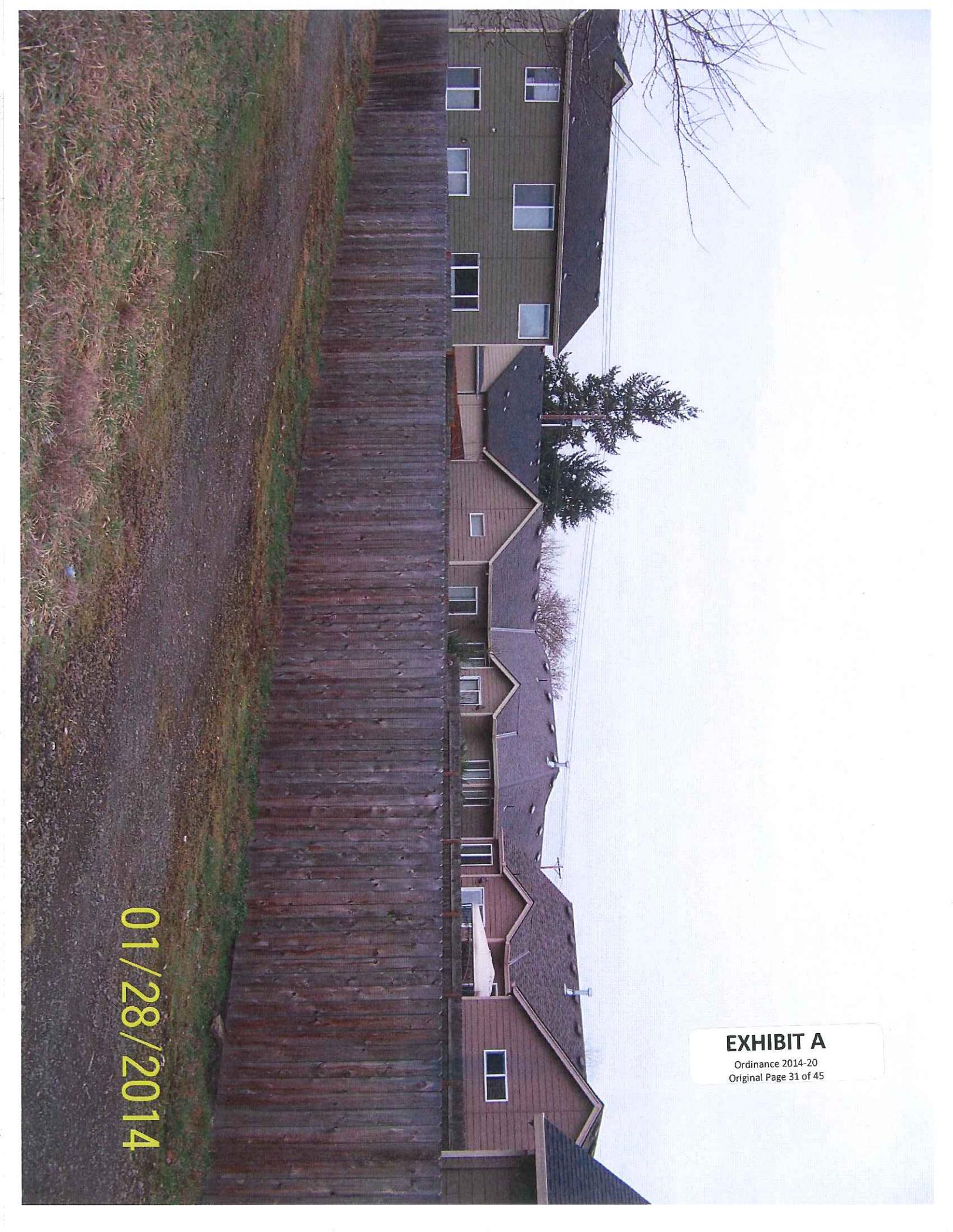


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Geographic Information Systems
 168 Warner-Milne Rd
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Property Report

ABLES JERRY D
19302 ROLLINS ST
OREGON CITY, OR 97045

Site Address: **709 TRINITY CT**
 Taxlot Number: **52E08BA00218**
 Land Value: **69834**
 Building Value: **109950**
 Total Value: **179784**

Acreage:
 Year Built: **2010**
 Sale Date: **06/04/2010**
 Sale Amount: **219000**
 Sale Type: **S**

Location Map:



Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.15

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Geographic Information Systems
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 Oregon City, OR 97045

Property Report

Location Map:



BLACKMAN CAROL J
703 TRINITY CT
MOLALLA, OR 97038

Site Address: **703 TRINITY CT**
 Taxlot Number: **52E08BA00219**
 Land Value: **69834**
 Building Value: **136110**
 Total Value: **205944**

Acreage:
 Year Built: **2006**
 Sale Date: **10/23/2012**
 Sale Amount: **0**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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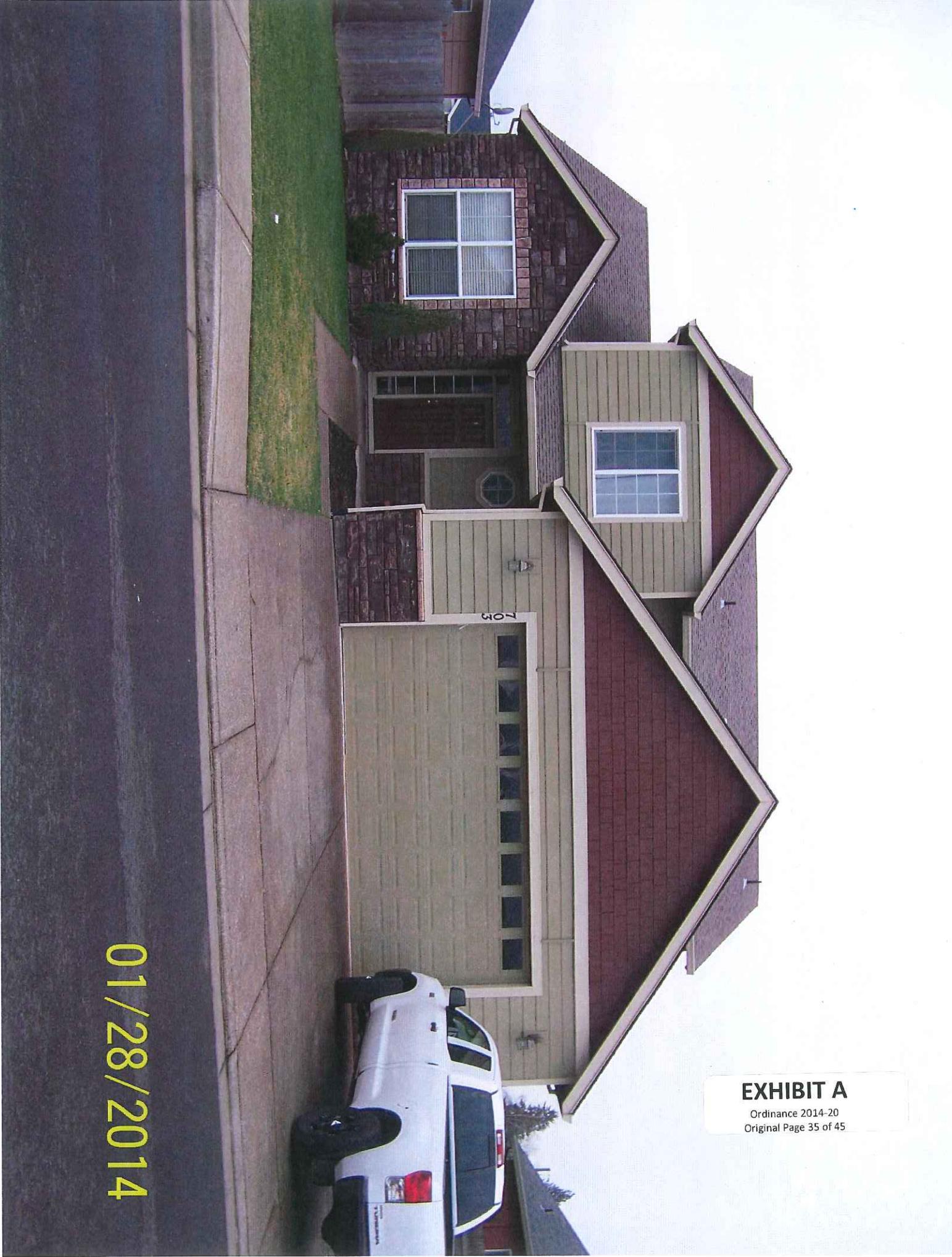


EXHIBIT A

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01/28/2014



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

ANDERSON DANIEL & AMY
697 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: **697 TRINITY CT**
 Taxlot Number: **52E08BA00220**
 Land Value: **69834**
 Building Value: **110830**
 Total Value: **180664**

Acreage:
 Year Built: **2006**
 Sale Date: **06/26/2007**
 Sale Amount: **265000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays	Acreage
R3		0.14

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

EXHIBIT A

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01/28/2014



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:



BAKER JOHN E & BARBARA S
687 TRINITY CT
MOLALLA, OR 97038

Site Address: **687 TRINITY CT**
 Taxlot Number: **52E08BA00221**
 Land Value: **69834**
 Building Value: **110830**
 Total Value: **180664**

Acreage:
 Year Built: **2006**
 Sale Date: **08/08/2007**
 Sale Amount: **265000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):
Zone Overlays: Acreage:
R3 **0.14**

Fire Molalla RFPD #73
 Park N/A
 School SCH 35 MOLALLA RIVER
 Sewer N/A
 Water N/A
 Cable City
 CPO City
 Garb/Recyc Molalla Sanitary
 City/County Molalla

EXHIBIT A

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



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EXHIBIT A

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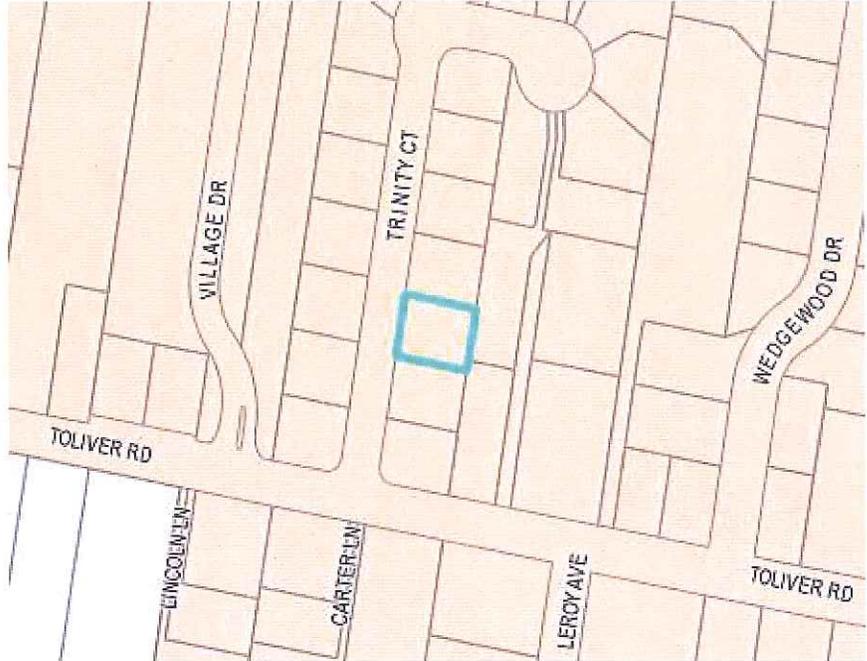


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

DUFFY PATRICK M & SUSAN L
677 TRINITY CT
MOLALLA, OR 97038

Location Map:



Site Address: **677 TRINITY CT**
 Taxlot Number: **52E08BA00222**
 Land Value: **69834**
 Building Value: **113670**
 Total Value: **183504**

Acreage:
 Year Built: **2008**
 Sale Date: **04/29/2008**
 Sale Amount: **278671**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):
 Zone **R3**
 Overlays:
 Acreage: **0.14**

Fire **Molalla RFPD #73**
 Park **N/A**
 School **SCH 35 MOLALLA RIVER**
 Sewer **N/A**
 Water **N/A**
 Cable **City**
 CPO **City**
 Garb/Recyc **Molalla Sanitary**
 City/County **Molalla**

EXHIBIT A

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



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EXHIBIT A
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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

Location Map:



PATTISON RICHARD C & CILIA A
657 TRINITY CT
MOLALLA, OR 97038

Site Address: **657 TRINITY CT**
 Taxlot Number: **52E08BA00223**
 Land Value: **69834**
 Building Value: **113320**
 Total Value: **183154**

Acreage:
 Year Built: **2007**
 Sale Date: **03/19/2008**
 Sale Amount: **265000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
R3		0.14

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

EXHIBIT A

Ordinance 2014-20
 Original Page 42 of 45

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



01/28/2014

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

GOMEZ MARTIMIANO & IRENE CAMACHO
 899 E MAIN ST #9
 MOLALLA, OR 97038

Location Map:



Site Address: **647 TRINITY CT**
 Taxlot Number: **52E08BA00224**
 Land Value: **69834**
 Building Value: **107820**
 Total Value: **177654**

Acreage:
 Year Built: **2009**
 Sale Date: **12/21/2009**
 Sale Amount: **208000**
 Sale Type: **S**

Land Class:
101
 Building Class:
14
 Neighborhood:
City of Molalla newer
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

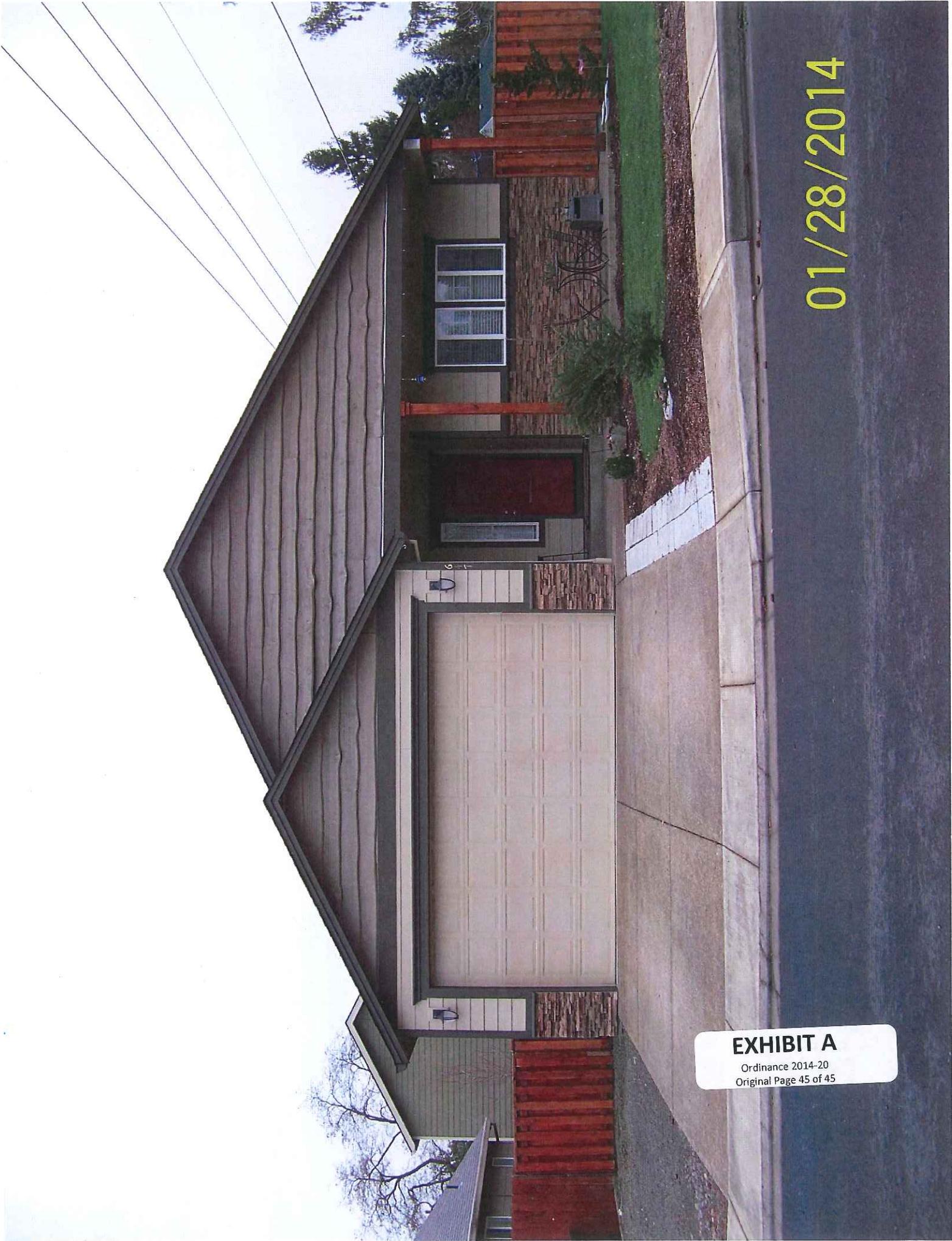
Zoning Designation(s):
Zone Overlays: Acreage:
R3 **0.15**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

EXHIBIT A

Ordinance 2014-20
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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



01/28/2014

EXHIBIT A
Ordinance 2014-20
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CITY OF MOLALLA

ORDINANCE No. 2014 - 21

AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHENSIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real property that is the subject of this ordinance is located in a tract of land being all of that tract of land described as Parcel 2 of that deed recorded as Document No. 2011-048874, Clackamas County Deed Records, and being a portion of State Highway No. 211, and being a portion of S. Ona Way, and being a portion of Molalla Forest Road, all located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 00102

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial). The property is currently vacant and undeveloped. Therefore, In accordance with ORS 222.750,

the properties listed in this ordinance are annexed into the City of Molalla immediately upon the effective date of this ordinance. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
4. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Tax Lot 102 on Tax Map 5S2E07D

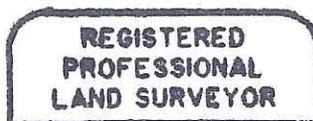
Annexation to the City of Molalla

A Tract of land being all of that tract of land described as Parcel 2 of that deed recorded as Document No. 2011-048874, Clackamas County Deed Records, and being a portion of State Highway No. 211, and being a portion of S. Ona Way, and being a portion of Molalla Forest Road, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Commencing at a 3 ¼ inch bronze disc in a monument box found at the Northeast corner of the B. B. Jackson Donation Land Claim No. 41; thence South 80°59'27" East, along the centerline of said State Highway No. 211, a distance of 17.87 feet to a point on the Northerly extension of the Easterly right of way line of said S. Ona Way; thence North 20°40'30" East, along said Northerly extension, a distance of 30.63 feet to a point on the Northerly right of way line of said Highway 211 and the true point of beginning of the Tract of land herein described; thence South 20°40'30" West, along said Northerly extension of said Easterly right of way line, and along said Easterly right of way line, a distance of 1294.90 feet to a point; thence North 69°19'30" West, at right angles to said S. Ona Way, a distance of 17.50 feet to a point at the intersection of the centerline of said S. One Way with the Southwesterly right of way line of said Molalla forest Road; thence along said Southwesterly right of way line, along a 507.47 foot radius curve to the right, through a central angle of 71°50'27", an arc distance of 636.30 feet (the long chord of said curve bears North 26°45'10" West a distance of 595.43 feet) to a point of tangency on the Westerly right of way line of said Molalla Forest Road; thence North 09°10'03" East, along said Westerly right of way line, a distance of 721.46 feet to a point on the Southerly right of way line of said Highway 211, thence North 09°00'33" East, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said Highway 211; thence South 80°59'27" East, along said Northerly right of way line, a distance of 624.96 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 13.3606 acres (581,986 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Partition Plat No. 2007-147



Chris Fischborn



EXHIBIT A

Ordinance 2014-21
Original Page 1 of 4

TAX LOT 102 ON TAX MAP
 5S 2E 07D
 CITY OF MOLALLA ANNEXATION
 EXHIBIT "B"



STATE HWY 211

N 09°00'33" E
 60.00'

S 80°59'27" E 624.96'

S 80°59'27" E 17.87'

N 20°40'30" E 30.63'

POINT OF BEGINNING

60'

PARCEL 7

PARTITION PLAT
 NO. 2007-147

N 09°10'03" E 721.46'
 MOLALLA FOREST RD.

T.L. 102

DOCUMENT NO.
 2011-048874

35'

N.E. CORNER B.B.
 JACKSON D.L.C. #41
 FD. 3-1/4" BRONZE DISC
 IN MONUMENT BOX
 POINT OF COMMENCEMENT

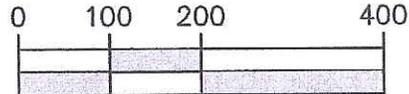
S. ONA WAY CO. RD. NO. 1303
 S 20°40'30" W 1294.90'

$\Delta = 71^{\circ}50'27''$
 $R = 507.47'$
 $L = 636.30'$
 CH = N 26°45'10" W
 595.43'

AREA TO BE ANNEXED
 (13.3606 ACRES
 581,986 SQUARE FEET)

N 69°19'30" W
 17.50'

GRAPHIC SCALE



(IN FEET)
 1 INCH = 200 FEET

LOCATED IN THE S.E. 1/4 SECTION 7,
 T.5S., R.2E., W.M., CLACKAMAS CO., OR

TITLE: EXHIBIT "A"

PLOT DATE: 12-17-13

FILE: W1202-7R.DWG

CLIENT: CITY OF MOLALLA

SHEET: 1 OF 1

ZTec ENGINEERS, INC.

3737 S.E. 8TH AVE.
 PORTLAND, OREGON 97202
 (503) 235-8795

EXHIBIT A

Ordinance 2014-21
 Original Page 2 of 4



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

BENTLEY BROOKS ANN TRUSTEE
PO BOX 1257
MOLALLA, OR 97038

Site Address: **NO SITUS**

Taxlot Number: **52E07D 00102**

Land Value: **107819**

Building Value: **0**

Total Value: **107819**

Acreage:

Year Built:

Sale Date: **08/18/2011**

Sale Amount: **0**

Sale Type: **M**

Land Class:

400

Building Class:

Neighborhood:

Molalla rural north all

Taxcode Districts: **035013**

Fire Molalla RFPD #73
Park N/A
School SCH 35 MOLALLA RIVER
Sewer N/A
Water N/A
Cable Wave Broadband (Molalla)
CPO Molalla
Garb/Recyc Molalla Sanitary
City/County Clackamas Co.

Location Map:



Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

<u>Zone</u>	<u>Overlays:</u>	<u>Acreage:</u>
RRFF5		9.77

EXHIBIT A

Ordinance 2014-21
 Original Page 3 of 4

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01/29/2014

EXHIBIT A

Ordinance 2014-21
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CITY OF MOLALLA
ORDINANCE No. 2014 - 22

**AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA,
WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE
COMPREHENSIVE PLAN AND REZONING PROPERTY.**

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being a portion of the "B.B. Jackson Donation Land Claim No. 41", located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 00600

Tax Lot No. 52E07D 00701

Tax Lot No. 52E07D 00500

Tax Lot No. 52E07D 00400

Tax Lot No. 52E07D 00200

Tax Lot No. 52E07D 00300

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial), except Tax Lot No. 52E07D 00600 and Tax Lot No. 52E07S 00701 is changed to PSP (Public or semi-Public). The properties are currently:

Tax Lot No. 52E07D 00600	Undeveloped
Tax Lot No. 52E07D 00701	Undeveloped
Tax Lot No. 52E07D 00500	Undeveloped
Tax Lot No. 52E07D 00400	Undeveloped
Tax Lot No. 52E07D 00200	Residential - In Use
Tax Lot No. 52E07D 00300	Undeveloped

In accordance with ORD 222.750, the properties listed in this ordinance are annexed into the City of Molalla immediately, except for Tax Lot No. 52E07D 00200 will have an effective date of annexation three (3) years from the effective date of this ordinance, unless ownership of the property changes. Annexation is effective immediately upon any change in ownership. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Record this ordinance with Clackamas County within sixty days of the effective date of this ordinance;
4. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
5. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

12930, 12940, 12966 & 12968 State Highway 211, &
Tax Lots 600 & 701 on Map 5S2E07D
Annexation to the City of Molalla

A Tract of land being a portion of the "B.B. Jackson Donation Land Claim No. 41", located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northeasterly corner of Parcel 4 of Partition Plat No. 2007-129; thence North 80°59'27" West, along the Northerly line of said Parcel 4 and its Westerly extension, a distance of 320.85 feet to a point on the Easterly right of way line of Commercial Parkway; thence North 20°02' 05" East, along said Easterly right of way line, a distance of 209.11 feet to a point on the Southerly right of way line of State Highway 211; thence North 09°00'33" East, at angles to said State Highway 211, a distance of 60.00 feet to a point on the Northeasterly right of way line of said State Highway 211; thence South 80°59'27" East, along said Northerly right of way line, a distance of 772.32 feet to a point; thence South 09°00'33" West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on said South right of way line of said State Highway 211, said point also being on the Northerly extension of a boundary line of Parcel 7 of Partition Plat No. 2007-147, thence South 20°25'50" West, along said Northerly extension of said Parcel 7 boundary line and along said Parcel 7 boundary line, a distance of 309.40 feet to an angle point in said Parcel 7 boundary line; thence continuing along said Parcel 7 boundary line, North 80°59'27" West a distance of 450.00 feet to an angle point in the Easterly boundary line of said Parcel 4 of said Partition Plat No. 2007-129; thence North 20°25'50" East, along said Easterly boundary line, a distance of 100.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 5.7120 acres (248,816 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Partition Plats 1994-160 and 2007-129.



Chris Fischborn

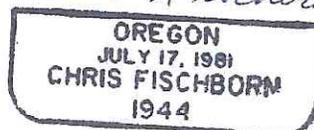
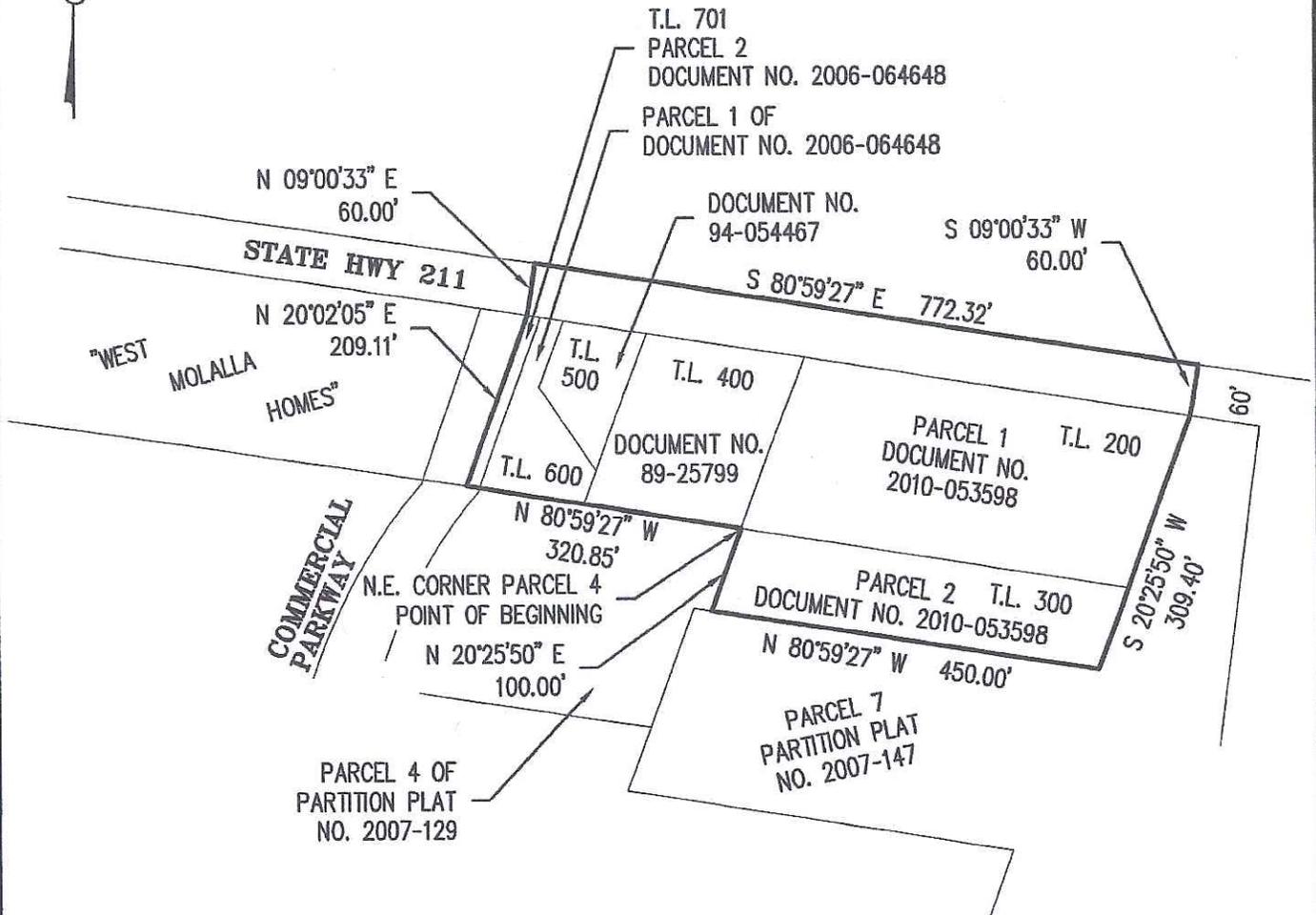


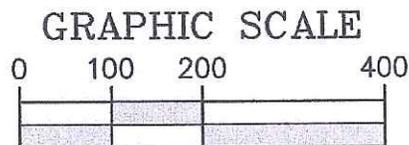
EXHIBIT A

Ordinance 2014-22
Original Page 1 of 14

12930, 12940, 12968 STATE HWY 211, & TAX
 LOTS 600 & 701 ON MAP 5S 2E 07D
 CITY OF MOLALLA ANNEXATION
 EXHIBIT "B"



AREA TO BE ANNEXED
 (5.7120 ACRES
 248,816 SQUARE FEET)



(IN FEET)
 1 INCH = 200 FEET

LOCATED IN THE S.E. 1/4 SECTION 7,
 T.5S., R.2E., W.M., CLACKAMAS CO., OR

EXHIBIT A

Ordinance 2014-22
 Original Page 2 of 14

TITLE: EXHIBIT "A"	
PLOT DATE: 12-13-13	
FILE: W1202-7P.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
 3737 S.E. 8TH AVE.
 PORTLAND, OREGON 97202
 (503) 235-8795



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

CITY OF MOLALLA
PO BOX 248
MOLALLA, OR 97038

Location Map:



Site Address: **NO SITUS**
 Taxlot Number: **52E07D 00600**
 Land Value: **23468**
 Building Value: **0**
 Total Value: **23468**

Acreage:
 Year Built:
 Sale Date: **07/13/2006**
 Sale Amount: **35109**
 Sale Type: **X**

Land Class:
100
 Building Class:
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035040**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
PSP		0.30

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

CITY OF MOLALLA
 PO BOX 248
 MOLALLA, OR 97038

Location Map:



Site Address: **NO SITUS**
 Taxlot Number: **52E07D 00701**
 Land Value: **1333**
 Building Value: **0**
 Total Value: **1333**

Acreage:
 Year Built:
 Sale Date: **07/13/2006**
 Sale Amount: **35109**
 Sale Type: **M**

Land Class:
100
 Building Class:
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035040**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

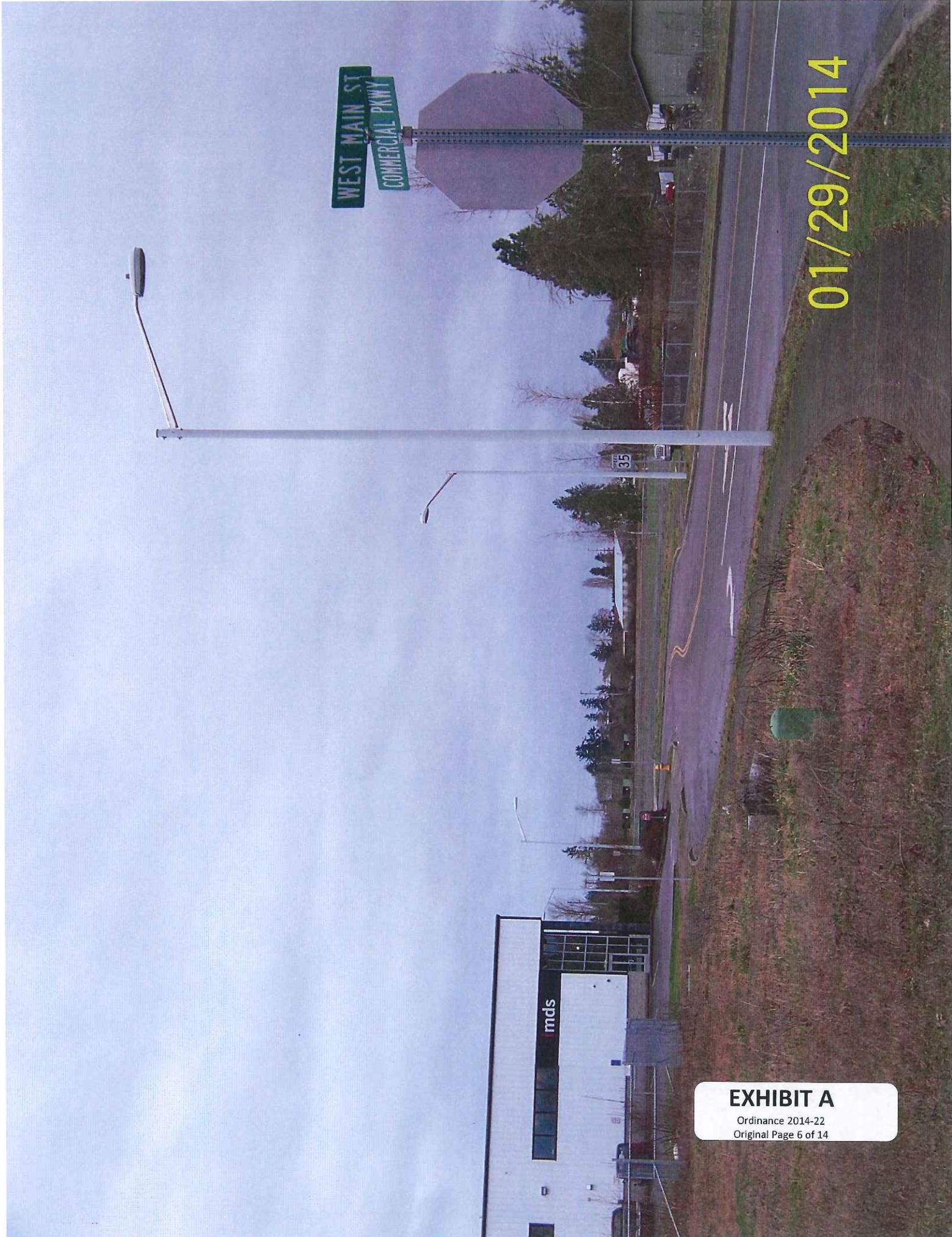
Zone	Overlays:	Acreage:
PSP		0.05

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

EXHIBIT A

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

VALOV WILLIAM F
2339 MONTERA DR
HACIENDA HEIGHTS, CA 91745

Site Address: 12930 S HWY 211

Taxlot Number: 52E07D 00500

Land Value: 38669

Building Value: 0

Total Value: 38669

Acreage:

Year Built:

Sale Date: 06/01/1994

Sale Amount: 10000

Sale Type:

Land Class:

100

Building Class:

Neighborhood:

Molalla rural north 100,

Taxcode Districts: **035040**

Fire: Molalla RFPD #73
 Park: N/A
 School: SCH 35 MOLALLA RIVER
 Sewer: N/A
 Water: N/A
 Cable: Wave Broadband (Molalla)
 CPO: City
 Garb/Recyc: Molalla Sanitary
 City/County: Molalla

Location Map:



Site Characteristics:

UGB: MOLALLA
 Flood Zone: Not Available

Zoning Designation(s):

Zone	Overlays	Acreage:
M2		0.32

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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

VALOV WILLIAM P
2339 MONTERA
HACIENDA HEIGHTS, CA 91745

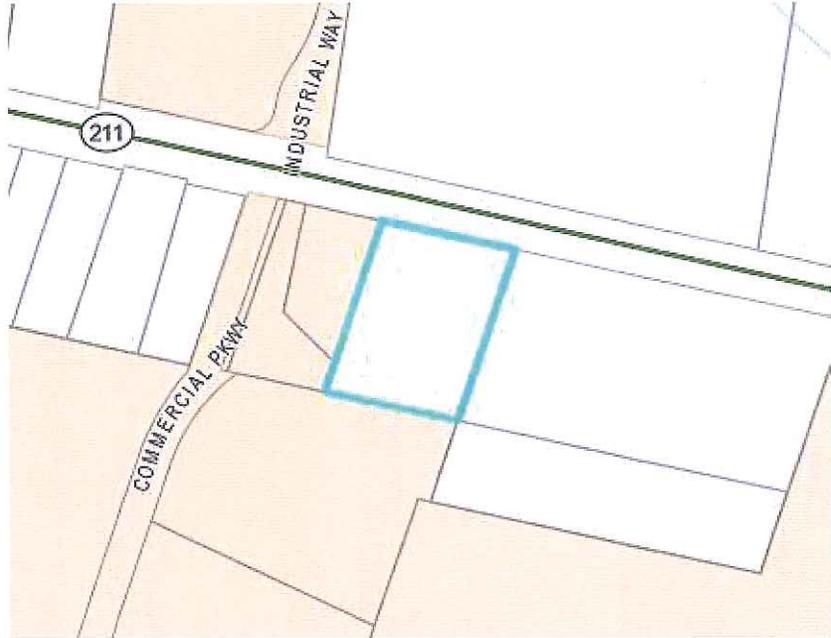
Site Address: 12940 S HWY 211
Taxlot Number: 52E07D 00400
Land Value: 46936
Building Value: 0
Total Value: 46936

Acreage:
Year Built:
Sale Date: 06/01/1989
Sale Amount: 18000
Sale Type:

Land Class:
100
Building Class:
Neighborhood:
Molalla rural north 100,
Taxcode Districts: **035040**

Fire: Molalla RFPD #73
Park: N/A
School: SCH 35 MOLALLA RIVER
Sewer: N/A
Water: N/A
Cable: Wave Broadband (Molalla)
CPO: Molalla
Garb/Recyc: Molalla Sanitary
City/County: Clackamas Co.

Location Map:



Site Characteristics:
UGB: MOLALLA
Flood Zone: Not Available

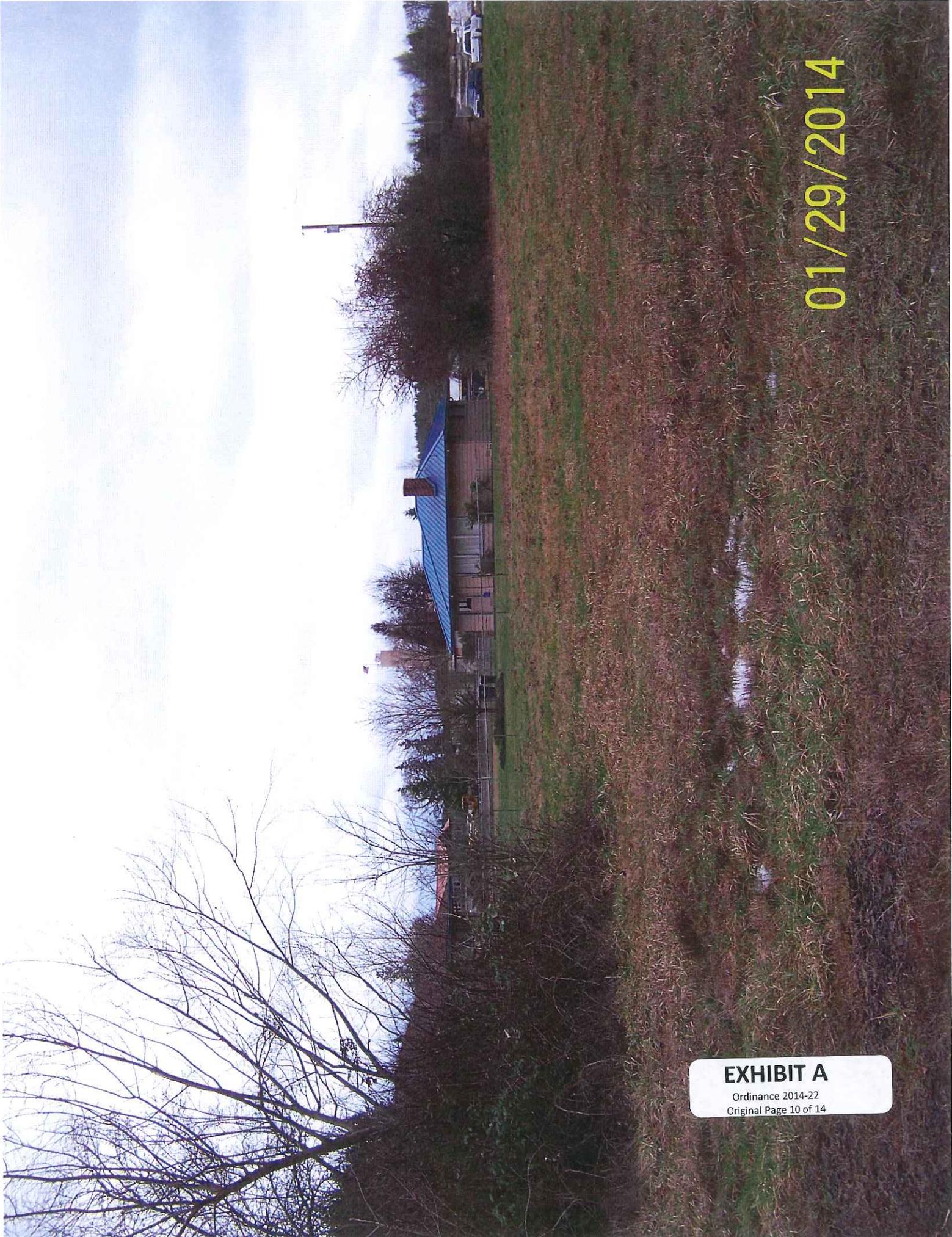
Zoning Designation(s):

Zone	Overlays	Acreage
RRFF5		0.85

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

SCHOENBORN KATHY D TRUSTEE
12966 S HWY 211
MOLALLA, OR 97038

Site Address: **12966 S HWY 211**

Taxlot Number: **52E07D 00200**

Land Value: **92485**

Building Value: **357600**

Total Value: **450085**

Acreage:

Year Built: **1954**

Sale Date: **08/30/2010**

Sale Amount: **0**

Sale Type: **M**

Location Map:



Land Class:

101

Building Class:

15

Neighborhood:

Molalla rural north 100,

Taxcode Districts: **035040**

Site Characteristics:

UGB: **MOLALLA**

Flood Zone: **Not Available**

Zoning Designation(s):

Zone Overlays: Acreage:

RRFF5

2.13

Fire **Molalla RFPD #73**
Park **N/A**
School **SCH 35 MOLALLA RIVER**
Sewer **N/A**
Water **N/A**
Cable **Wave Broadband (Molalla)**
CPO **Molalla**
Garb/Recyc **Molalla Sanitary**
City/County **Clackamas Co.**

EXHIBIT A

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

SCHOENBORN KATHY D TRUSTEE
12966 S HWY 211
MOLALLA, OR 97038

Site Address: 12968 S HWY 211

Taxlot Number: 52E07D 00300

Land Value: 64394

Building Value: 50450

Total Value: 114844

Acreage:

Year Built: 1954

Sale Date: 08/30/2010

Sale Amount: 0

Sale Type: X

Land Class:

101

Building Class:

13

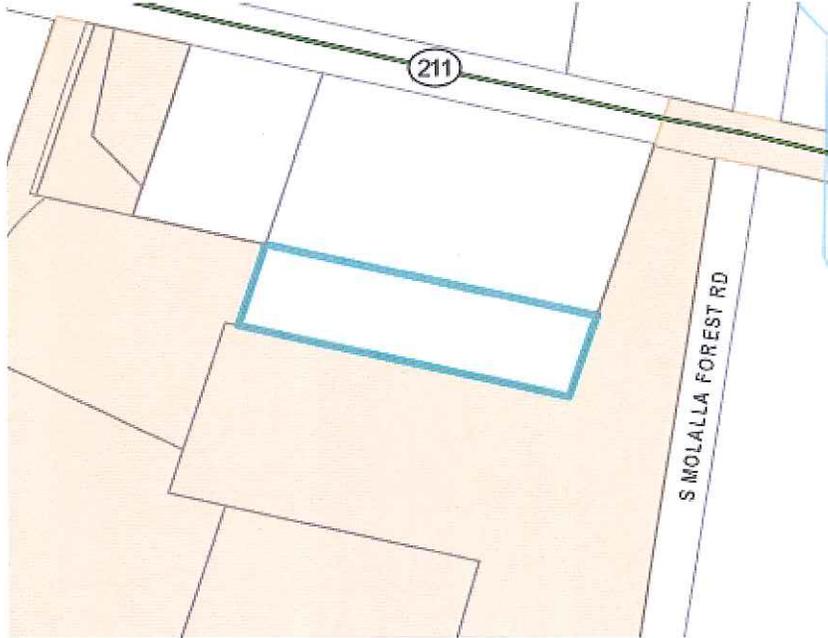
Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Fire: Molalla RFPD #73
 Park: N/A
 School: SCH 35 MOLALLA RIVER
 Sewer: N/A
 Water: N/A
 Cable: Wave Broadband (Molalla)
 CPO: Molalla
 Garb/Recyc: Molalla Sanitary
 City/County: Clackamas Co.

Location Map:



Site Characteristics:

UGB: MOLALLA

Flood Zone: Not Available

Zoning Designation(s):

Zone: RRFF5

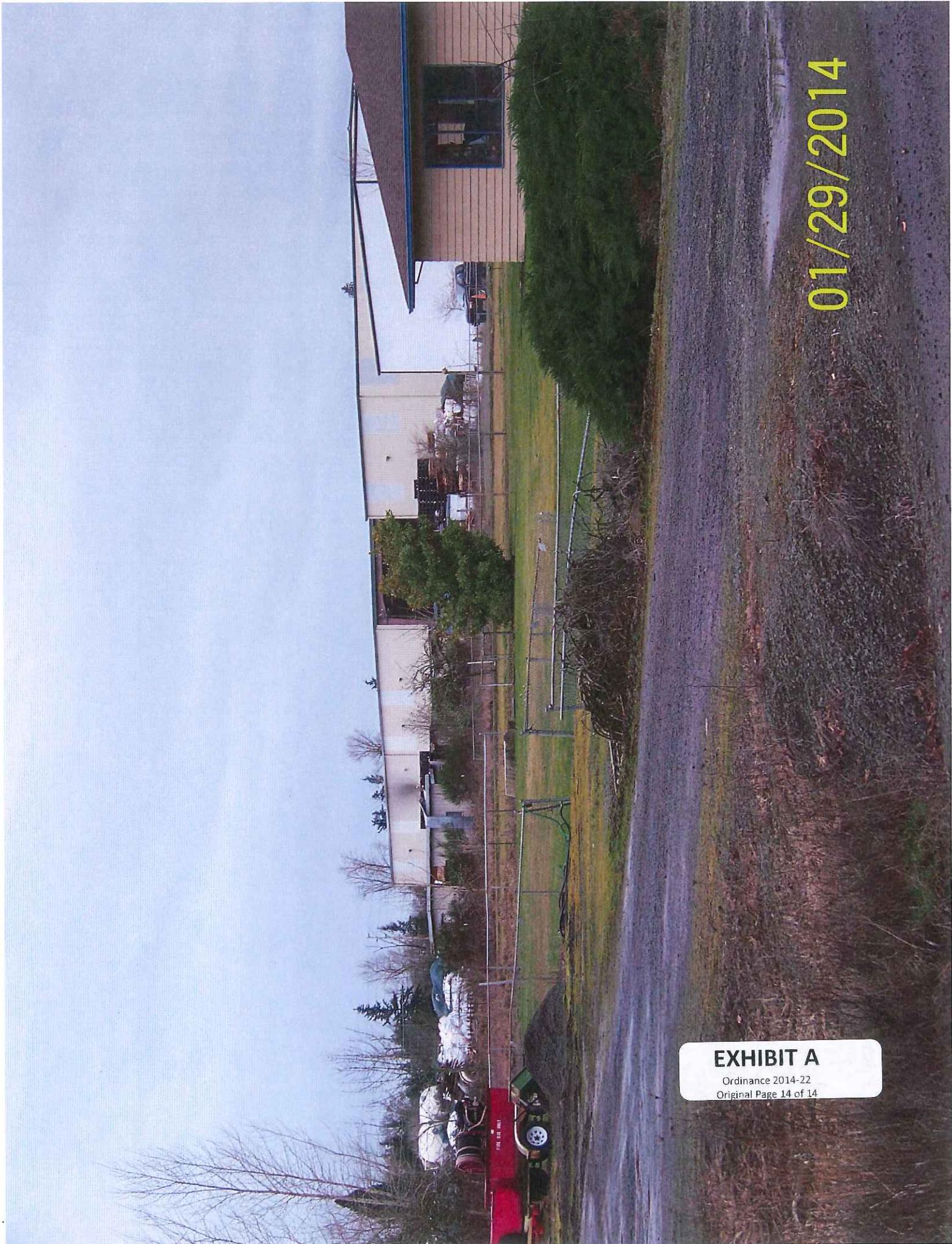
Overlays:

Acreage: 1.01

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EXHIBIT A

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CITY OF MOLALLA

ORDINANCE No. 2014 - 23

AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHENSIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being all of Lots 4, 5, 6, 7, 8, 9 and 10 of the Plat of "West Molalla Homes" (Plat No. 675), and a portion of State Highway 211, and a portion of Commercial Parkway, all located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 01200

Tax Lot No. 52E07D 01100

Tax Lot No. 52E07D 01000

Tax Lot No. 52E07D 00900

Tax Lot No. 52E07D 00800

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial).

The properties are currently:

Tax Lot No. 52E07D 01200	Undeveloped
Tax Lot No. 52E07D 01100	Residential – In Use
Tax Lot No. 52E07D 01000	Residential – In Use
Tax Lot No. 52E07D 00900	Residential – In Use
Tax Lot No. 52E07D 00800	Residential – In Use

In accordance with ORS 222.750, the properties listed in this ordinance are annexed into the City of Molalla immediately, except for Tax Lot No. 52E07D 01100, Tax Lot No. 52E07D 01000, Tax Lot No. 52E07D 00900 and, Tax Lot No. 52E07D 00800 will have an effective date of annexation three (3) years from the effective date of this ordinance, unless ownership of property changes. Annexation is effective immediately upon any change in ownership. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Record this ordinance with Clackamas County within sixty days of the effective date of this ordinance;
4. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
5. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

12810, 12852, 12874 & 12888 State Highway 211
& Tax Lot 1200 on Map 5S 2E 07D
Annexation to the City of Molalla

Exhibit A

A Tract of land being all of Lots 4, 5, 6, 7, 8, 9 and 10 of the Plat of "West Molalla Homes" (Plat No. 675), and a portion of State Highway 211, and a portion of Commercial Parkway, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Westerly line of said Lot 4 of said "West Molalla Homes" with the Southerly right of way line of said State Highway 211; thence North 08°30'00" East, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said Highway 211; thence South 81°30'00" East, along said Northerly right of way line, a distance of 536.93 feet to a point; thence South 08°30'00" West, at right angles to said Highway 211, a distance of 60.00 feet to the intersection of said Southerly right of way line of said Highway 211 with the Easterly right of way line of said Commercial Parkway; thence South 18°58'15" West, along said Easterly right of way line of said Commercial Parkway, a distance of 208.68 feet to a point; thence North 81°30'00" West, along the Easterly extension of the Southerly line of said "West Molalla Homes" Plat, and along said Southerly boundary line, a distance of 538.40 feet to the Southwesterly corner of said Lot 4 of said "West Molalla Homes", thence North 19°22'00" East, along the Westerly line of said Lot 4, a distance of 208.96 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 3.2725 acres (142,551 square feet), more or less.

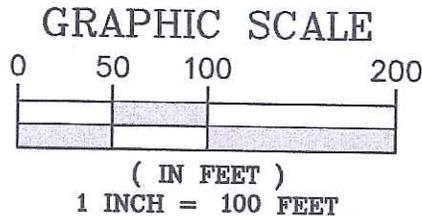
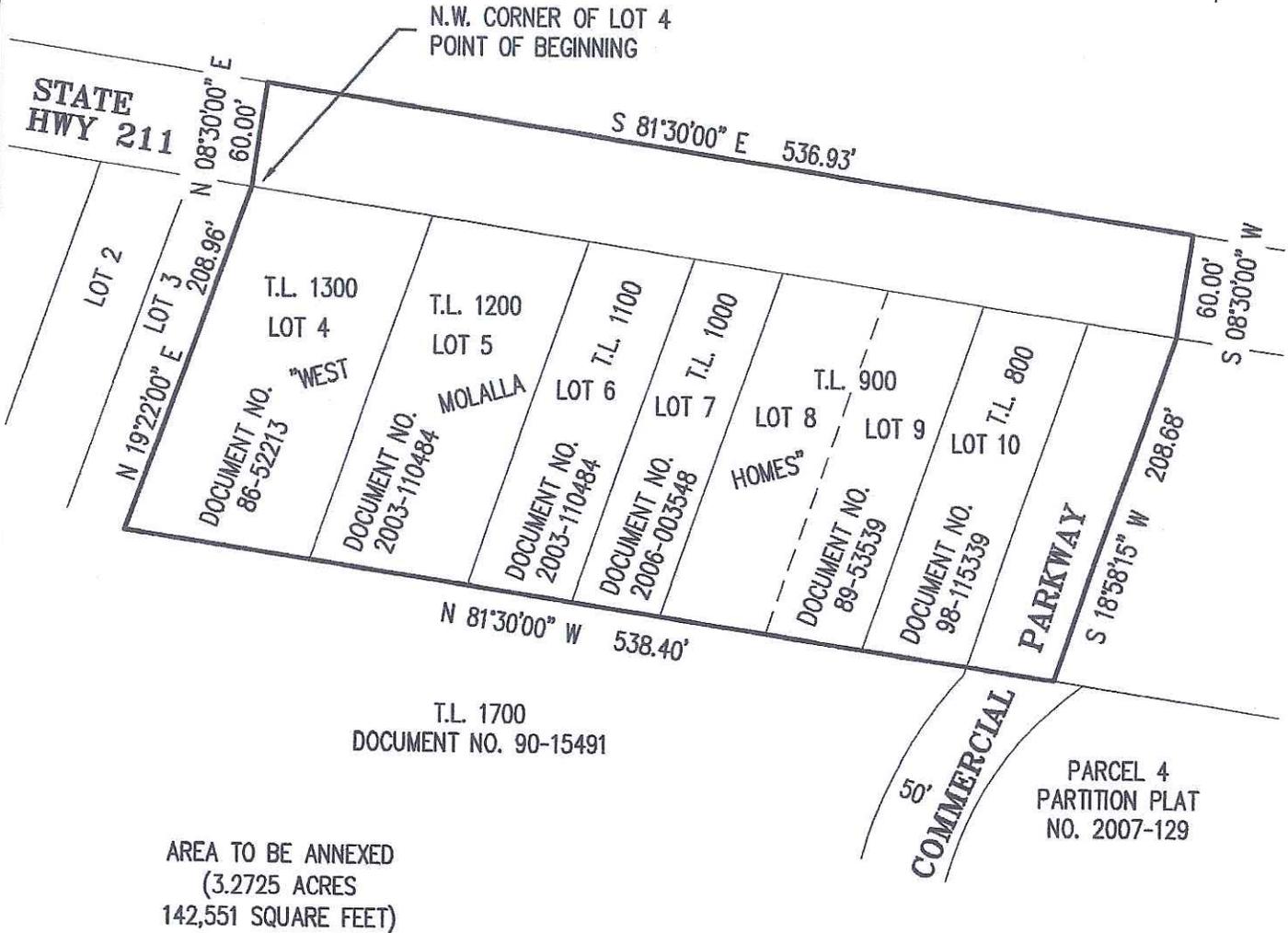
The bearings and distances in this description are based on Clackamas County Plat of "West Mollala Homes" and Clackamas County Partition Plat No. 2007-129.



EXHIBIT A

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12810, 12852, 12860, 12874 & 12888 STATE
 HIGHWAY 211 & TAX LOT 1200
 ON MAP 5S 2E 07D
 CITY OF MOLALLA ANNEXATION
 EXHIBIT "B"



LOCATED IN THE S.E. 1/4 SECTION 7,
 T.5S., R.2E., W.M., CLACKAMAS CO., OR

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TITLE: EXHIBIT "B"	
PLOT DATE: 12-10-13	
FILE: W1202-70.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
 3737 S.E. 8TH AVE.
 PORTLAND, OREGON 97202
 (503) 235-8795



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

CARROLL RICHARD & ROXANNE
7011 SE BAILEY ST
LACEY, WA 98513

Site Address: **NO SITUS**
 Taxlot Number: **52E07D 01200**
 Land Value: **9334**
 Building Value: **0**
 Total Value: **9334**

Acreage:
 Year Built:
 Sale Date: **10/28/2005**
 Sale Amount: **0**
 Sale Type: **S**

Land Class:
101
 Building Class:
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035040**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas Co.**

Location Map:



Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.43

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01/29/2014

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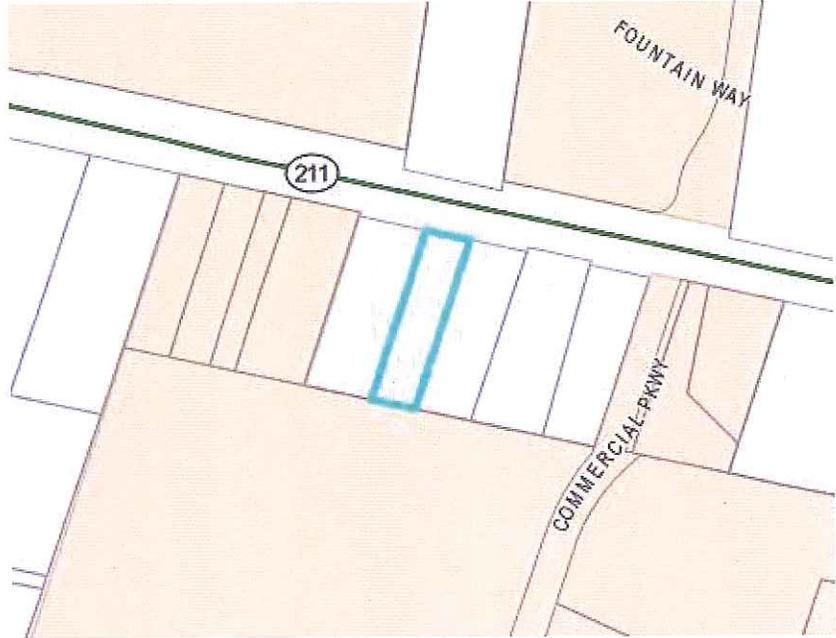


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

CARROLL RICHARD & ROXANNE
7011 SE BAILEY ST
LACEY, WA 98513

Location Map:



Site Address: 12852 S HWY 211

Taxlot Number: 52E07D 01100

Land Value: 59371

Building Value: 81860

Total Value: 141231

Acreage:

Year Built: 1920

Sale Date: 10/28/2005

Sale Amount: 0

Sale Type: S

Land Class:

101

Building Class:

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

UGB: MOLALLA

Flood Zone: Not Available

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.28

RRFF5

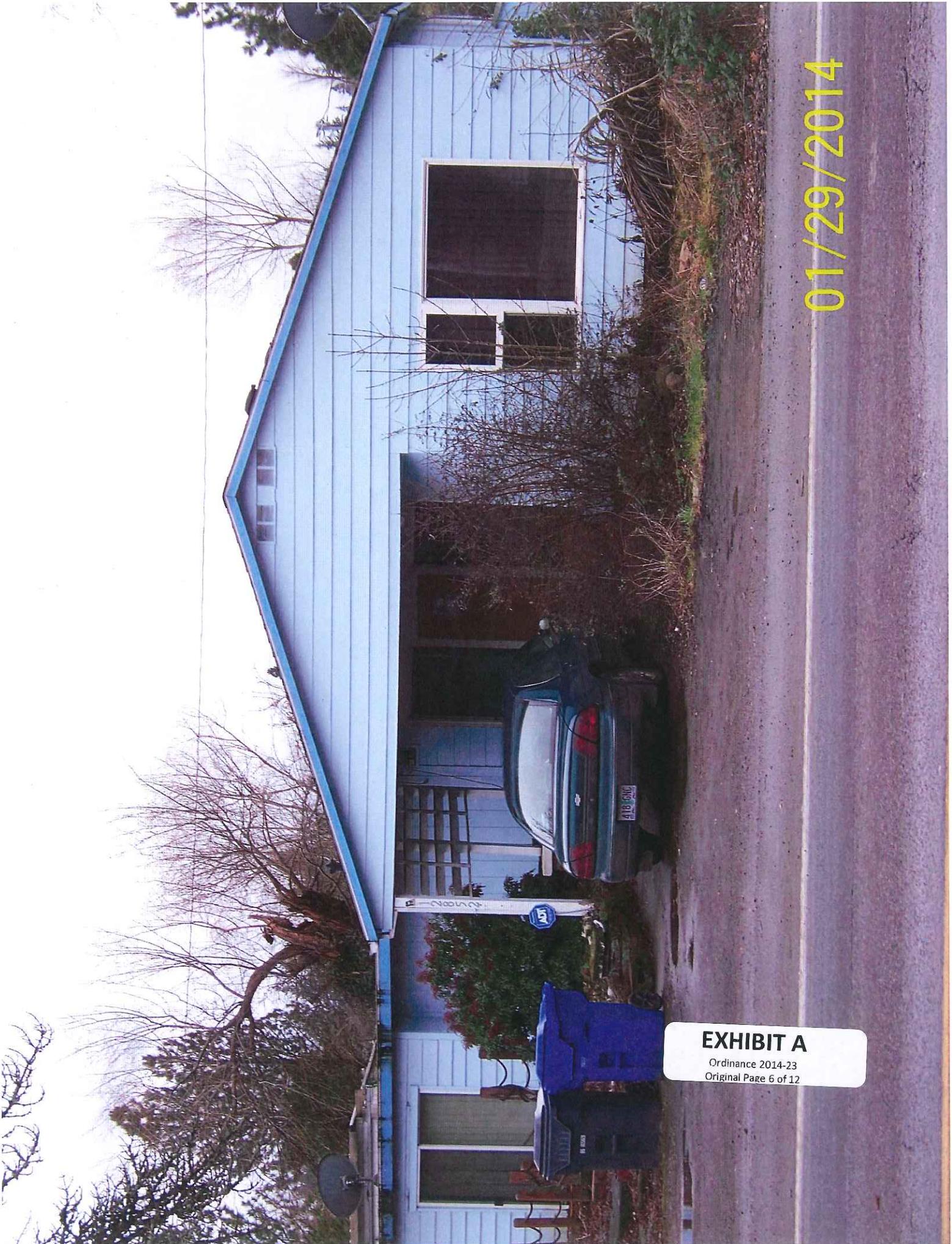
0.28

Fire	Molalla RFPD #73
Park	N/A
School	SCH 35 MOLALLA RIVER
Sewer	N/A
Water	N/A
Cable	Wave Broadband (Molalla)
CPO	Molalla
Garb/Recyc	Molalla Sanitary
City/County	Clackamas Co.

EXHIBIT A

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

PHILPOT FRED
12860 S HWY 211
MOLALLA, OR 97038

Site Address: **12860 S HWY 211**
 Taxlot Number: **52E07D 01000**
 Land Value: **60171**
 Building Value: **58360**
 Total Value: **118531**

Acreage:
 Year Built: **1920**
 Sale Date: **01/12/2006**
 Sale Amount: **0**
 Sale Type: **S**

Land Class:
101
 Building Class:
12
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035040**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas Co.**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

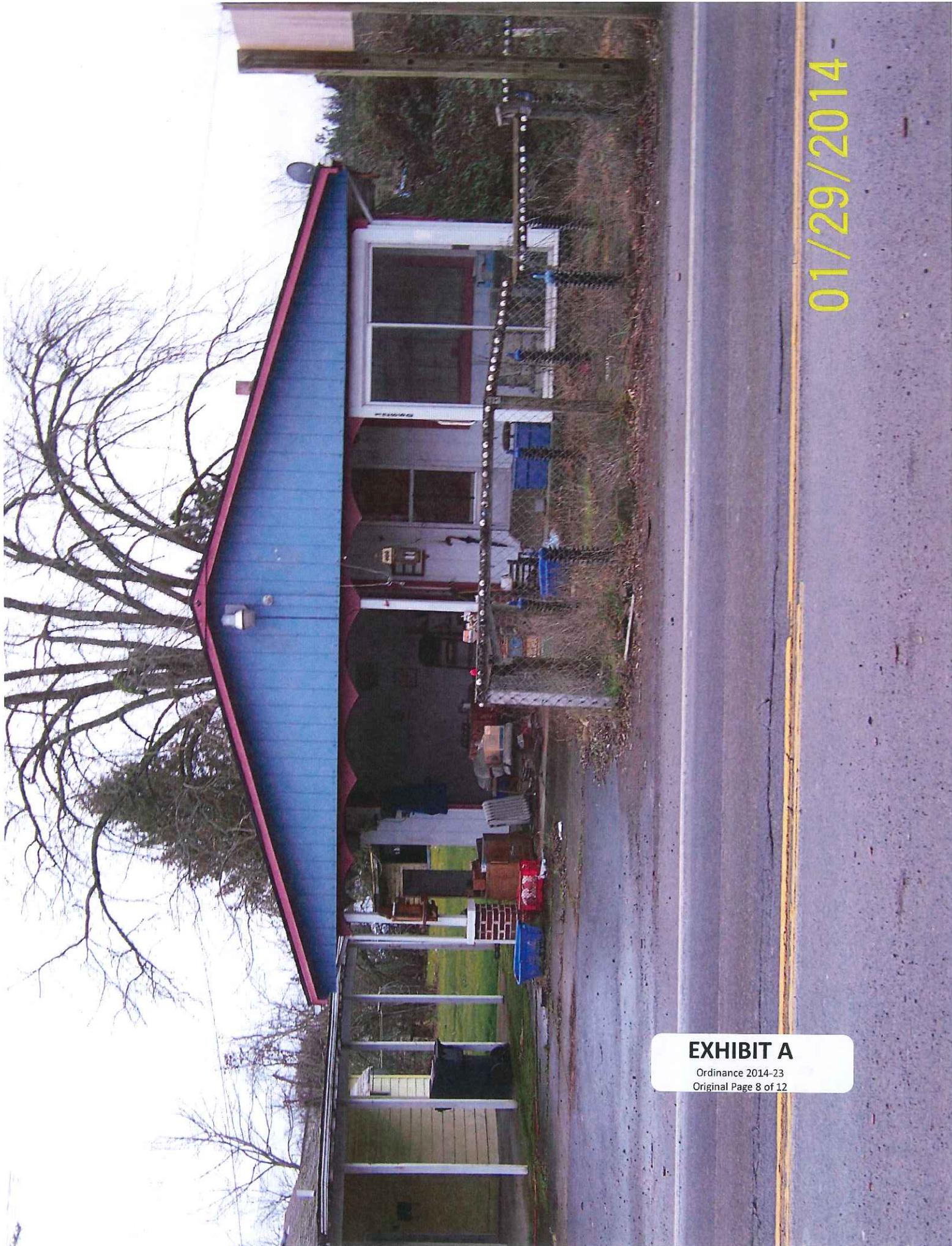
Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.35

EXHIBIT A

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Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

KIRBY RUTH L-EST
12874 S HWY 211
MOLALLA, OR 97038

Site Address: **12874 S HWY 211**
Taxlot Number: **52E07D 00900**
Land Value: **65505**
Building Value: **75250**
Total Value: **140755**

Acreage:
Year Built: **1920**
Sale Date: **11/01/1989**
Sale Amount: **0**
Sale Type:

Land Class:
101
Building Class:
13
Neighborhood:
Molalla rural north 100,
Taxcode Districts: **035040**

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **Wave Broadband (Molalla)**
CPO: **Molalla**
Garb/Recyc: **Molalla Sanitary**
City/County: **Clackamas Co.**

Location Map:



Site Characteristics:
UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):
Zone Overlays: Acreage:
RRFF5 **0.45**

EXHIBIT A

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

PRICE WILLARD T
12605 S GRONSHONG RD
MOLALLA, OR 97038

Site Address: **12888 S HWY 211**

Taxlot Number: **52E07D 00800**

Land Value: **50237**

Building Value: **55040**

Total Value: **105277**

Acreage:

Year Built: **1920**

Sale Date: **12/01/1998**

Sale Amount: **72000**

Sale Type:

Location Map:



Land Class:

101

Building Class:

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: **035040**

Site Characteristics:

UGB: **MOLALLA**

Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		0.33

RRFF5

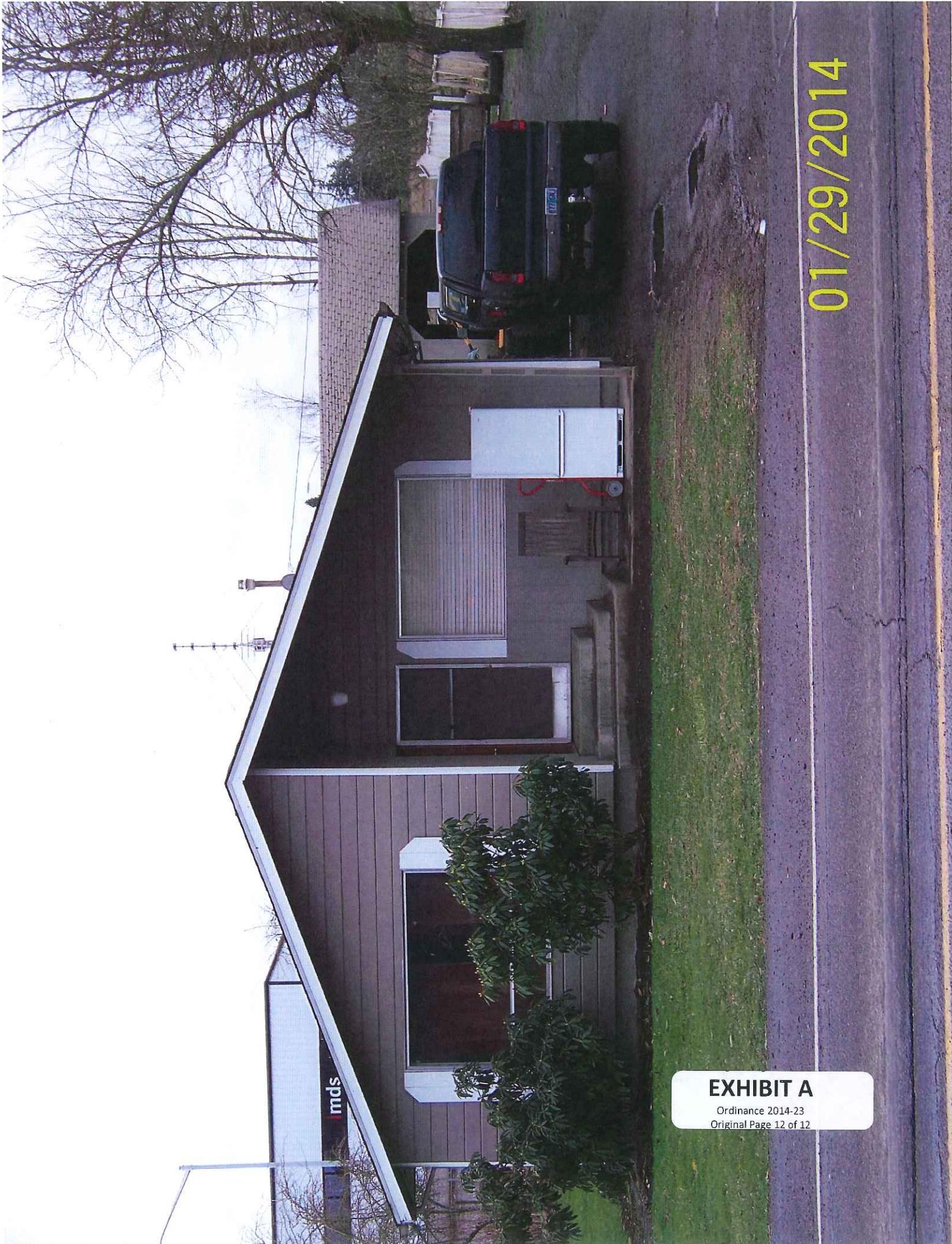
0.33

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas Co.**

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CITY OF MOLALLA

ORDINANCE No. 2014 - 24

AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHENSIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being all of those tracts of land described in Document No's 2013-043135, 96-041122, 2013-054991 and 87-14806 and being all of that tract of land described in that Deed recorded April 29, 1957 in Book 525, Page 37 and being all of that Tract of land described in that Deed recorded in Book "U", Page 233, Clackamas County Deed Records, and being a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08C 01600

Tax Lot No. 52E08C 01700

Tax Lot No. 52E08C 01500

Tax Lot No. 52E08C 01400

Tax Lot No. 52E08C 01900

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of MFR (Multi-Family Residential). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-3 (Multi-Family Residential), except for Tax Lot No. 52E08C 01900 is changed to PSP (Public or Semi-Public).

The properties are currently:

Tax Lot No. 52E08C 01600	Residential – In Use
Tax Lot No. 52E08C 01700	Undeveloped
Tax Lot No. 52E08C 01500	Residential – In Use
Tax Lot No. 52E08C 01400	Commercial/Church – In Use
Tax Lot No. 52E08C 01900	Pioneer Cemetery

In accordance with ORS 222.750, the properties listed in this ordinance are annexed into the City of Molalla immediately, except for Tax Lot No. 52E08C 01600 and Tax Lot No. 52E08C 01500 will have an effective date of annexation three (3) years from the effective date of this ordinance, unless ownership of property changes. Annexation is effective immediately upon any change in ownership. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Record this ordinance with Clackamas County within sixty days of the effective date of this ordinance;
4. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
5. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

13210, 13250, 13288 & 13322 State Highway 211
31600 S. Ona Way, Tax Lot's 1700 & 1900 on Tax Map 5S2E08B
Annexation to the City of Molalla

A Tract of land being all of those tracts of land described in Document No's 2013-043135, 96-041122, 2013-054991 and 87-14806 and being all of that tract of land described in that Deed recorded April 29, 1957 in Book 525, Page 37 and being all of that Tract of land described in that Deed recorded in Book "U", Page 233, Clackamas County Deed Records, and being a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Southerly right of way line of State Highway 211 (60 feet wide) with the Easterly line of said Document No. 2013-043135 tract, said point of beginning being South 81°30'00" East a distance of 924.40 feet and South 08°30'00" West a distance of 30.00 feet from 3 ¼ inch bronze disc in a Monument box found at the Northwest corner of the Rachel Larkin Donation land Claim No. 43; thence South 20°41'03" East, along the Easterly line of said Document No. 2013-043135 tract, a distance of 668.77 feet to the Southeasterly corner thereof; thence North 81°30'00" West, along the Southerly line of said Document No. 2013-043135 tract, and parallel with said State Highway 211, a distance of 199.82 feet to the Northeasterly corner of said Book "U", Page 233 tract, thence South 11 30' 00" West, along the Easterly line of said Book "U", Page 233 tract a distance of 264.00 feet to the Southeasterly corner thereof; thence North 78°30'00" West, along the Southerly line of Said Book "U", Page 233 tract, a distance of 267.30 feet to the Southwesterly corner thereof; thence North 11°30'00" East, along the Westerly line of said Book "U", Page 233 tract, a distance of 249.99 feet to the Northwesterly corner thereof, said point also being on the Southerly line of said Book 525, Page 37 tract; thence North 81°30'00" West, along said Southerly line, and along the Southerly line of said Document No. 96-041122 tract, and along the Southerly line of that Tract of land described as Parcel II in said Document No. 87-14806, a distance of 439.01 feet to the Southwest corner of said Parcel II, said point being on the Easterly right of way line of South Ona Way;

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Chris Fischborn

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

EXHIBIT A

Ordinance 2014-24
Original Page 1 of 13

13210, 13250, 13288 & 13322 State Highway 211 - 31600 S. Ona Way, Tax Lot's 1700 & 1900 on Tax Map 5S2E08B - Annexation to the City of Molalla, cont.,

thence North 20°41'03" East, along said Easterly right of way line and its Northerly extension, a distance of 730.15 feet to a point on the Northerly right of way line of said State Highway 211; thence South 81°30'00" East, along said Northerly right of way line, a distance of 893.54 feet to a point; thence South 08°30'00" West, at right angles to said State Highway 211, a distance of 60.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 16.4205 acres (715,278 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Survey No. 2008-324.



Chris Fischborn

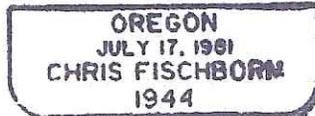


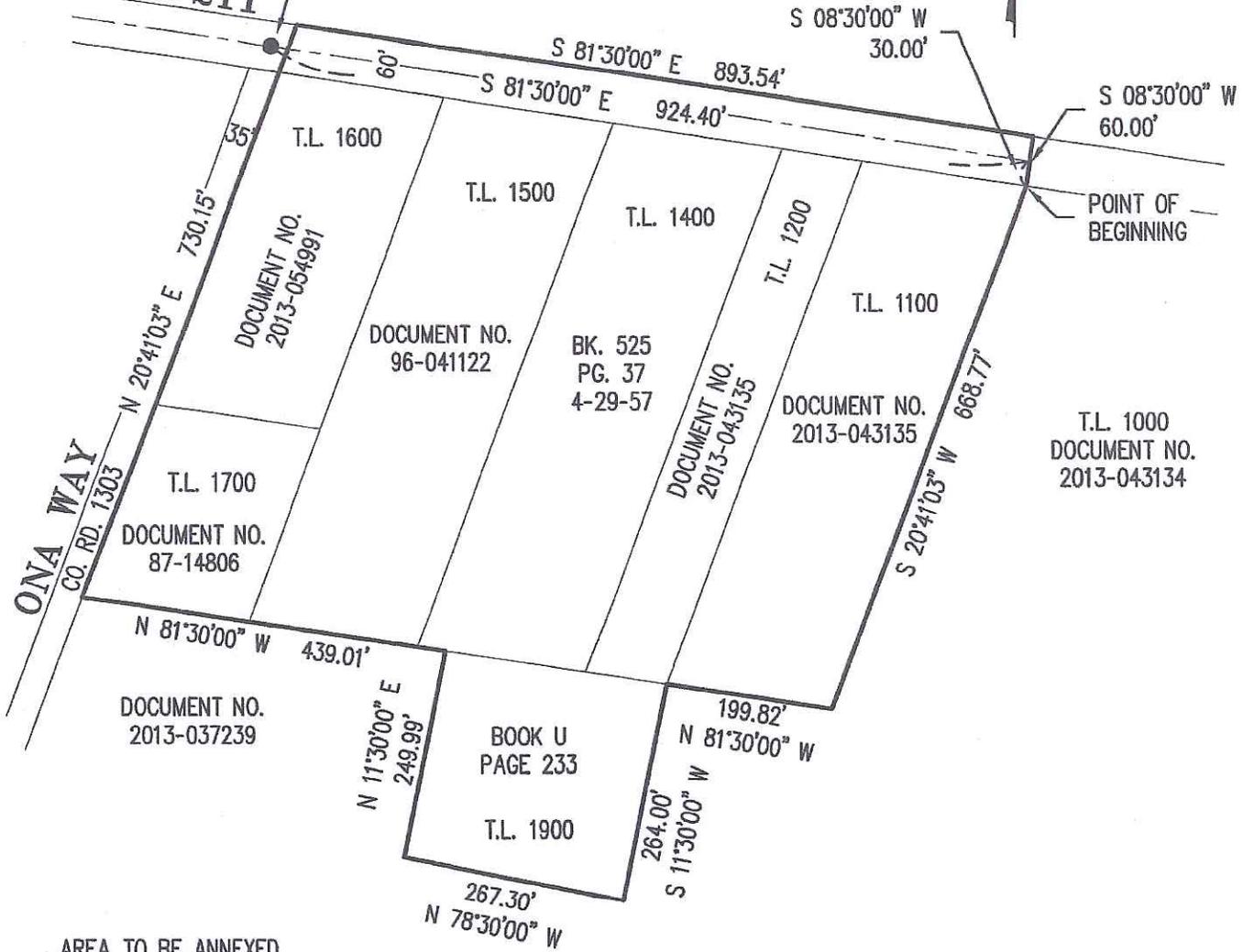
EXHIBIT A

Ordinance 2014-24
Original Page 2 of 13

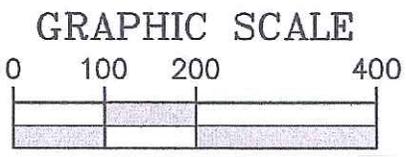
N.W. CORNER RACHEL
LARKIN D.L.C. NO. 43
FD. 3-1/4" BRONZE DISC
IN MONUMENT BOX

13210, 13250, 13288 & 13322 STATE
HWY 211, 31600 S. ONA WAY, TAX
LOTS 1700 & 1900 ON TAX MAP
5S 2E 08C
CITY OF MOLALLA ANNEXATION
EXHIBIT "B"

**STATE
HWY 211**



AREA TO BE ANNEXED
(16.4205 ACRES
715,278 SQUARE FEET)



LOCATED IN THE S.W. 1/4 SECTION 8,
T.5S., R.2E., W.M., CLACKAMAS CO., OR

(IN FEET)
1 INCH = 200 FEET

EXHIBIT A
Ordinance 2014-24
Original Page 3 of 13

TITLE: EXHIBIT "A"	
PLOT DATE: 1-17-14	
FILE: W1202-7Q.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
3737 S.E. 8TH AVE.
PORTLAND, OREGON 97202
(503) 235-8795



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

HOLMES KATIE R & MICHAEL J
31600 S ONA WAY
MOLALLA, OR 97038

Site Address: **31600 S ONA WAY**

Taxlot Number: **52E08C 01600**

Land Value: **90944**

Building Value: **315260**

Total Value: **406204**

Acreage:

Year Built: **1958**

Sale Date: **08/02/2013**

Sale Amount: **300000**

Sale Type: **S**

Location Map:



Land Class:

101

Building Class:

15

Neighborhood:

Molalla rural north 100,

Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**

Flood Zone: **Not Available**

Zoning Designation(s):

Zone Overlays: Acreage:

RRFF5

1.96

Fire **Molalla RFPD #73**
Park **N/A**
School **SCH 35 MOLALLA RIVER**
Sewer **N/A**
Water **N/A**
Cable **Wave Broadband (Molalla)**
CPO **Molalla**
Garb/Recyc **Molalla Sanitary**
City/County **Clackamas Co.**

EXHIBIT A

Ordinance 2014-24
 Original Page 4 of 13

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

01/30/2014

EXHIBIT A

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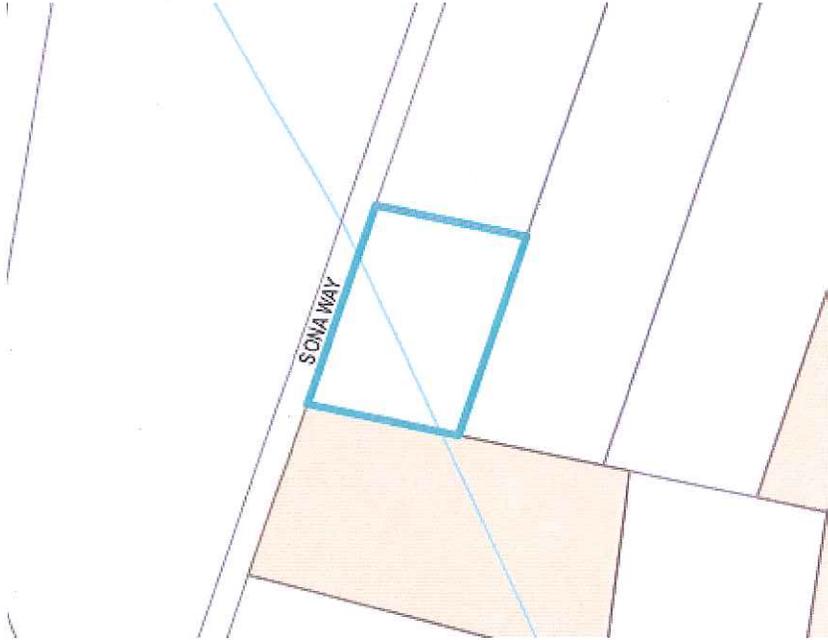


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

BURGHARDT JEANIE P
PO BOX 363
CANBY, OR 97013

Location Map:



Site Address: **NO SITUS**
 Taxlot Number: **52E08C 01700**
 Land Value: **41768**
 Building Value: **0**
 Total Value: **41768**

Acreage:
 Year Built:
 Sale Date: **04/01/1987**
 Sale Amount: **0**
 Sale Type:

Land Class:
100
 Building Class:
 Neighborhood:
Molalla rural north 100,
 Taxcode Districts: **035013**

Site Characteristics:
 UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

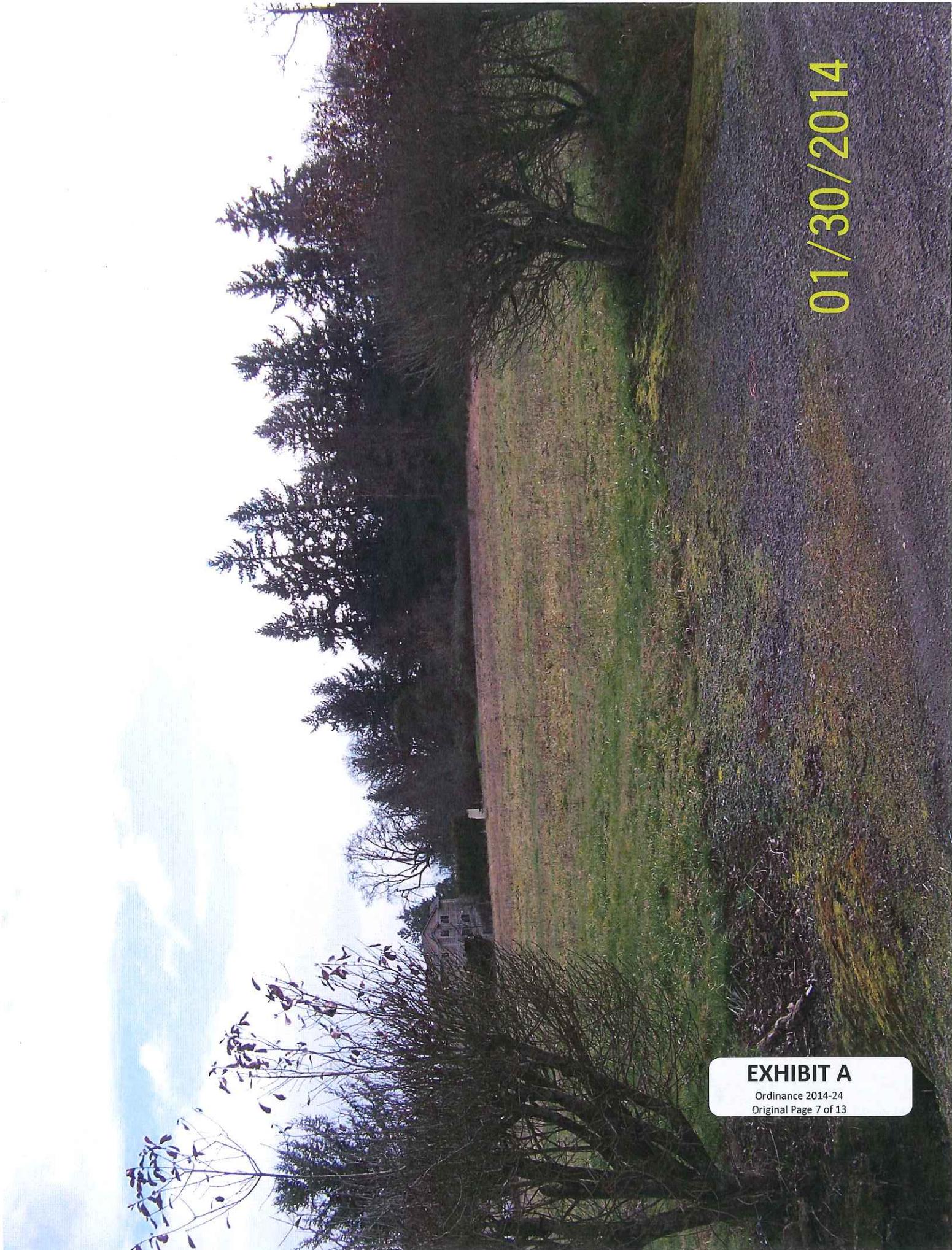
Zone	Overlays:	Acreage:
RRFF5		1.12

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas Co.**

EXHIBIT A

Ordinance 2014-24
 Original Page 6 of 13

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01/30/2014

EXHIBIT A

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Original Page 7 of 13



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

PUHLMAN ROY D & FAYE L
 13210 S HWY 211
 MOLALLA, OR 97038

Site Address: 13210 S HWY 211

Taxlot Number: 52E08C 01500

Land Value: 100312

Building Value: 272300

Total Value: 372612

Acreage:

Year Built: 1958

Sale Date: 05/01/1996

Sale Amount: 75000

Sale Type:

Location Map:



Land Class:

401

Building Class:

15

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Site Characteristics:

UGB: MOLALLA

Flood Zone: Not Available

Zoning Designation(s):

Zone Overlays: Acreage:

RRFF5

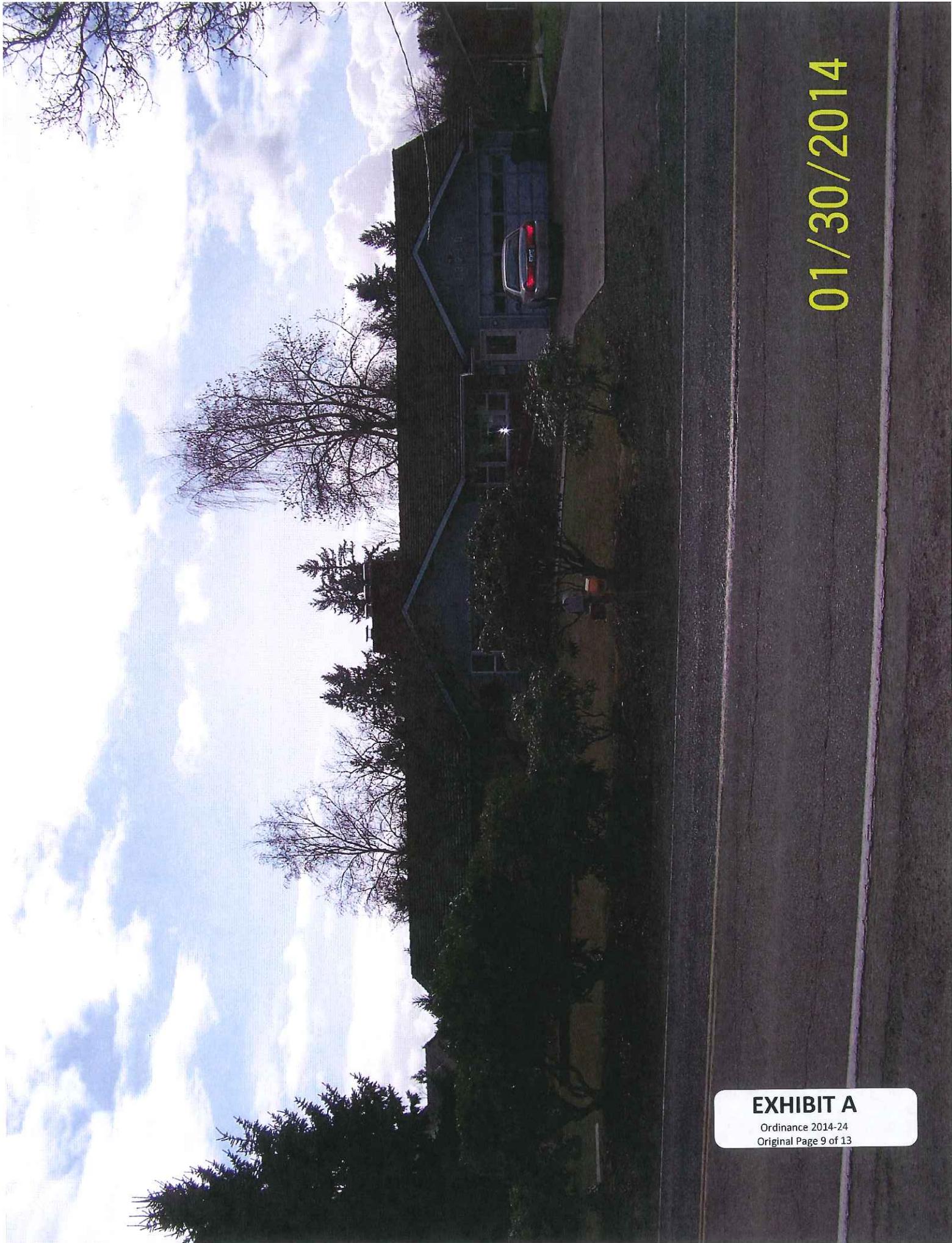
2.94

Fire Molalla RFPD #73
Park N/A
School SCH 35 MOLALLA RIVER
Sewer N/A
Water N/A
Cable Wave Broadband (Molalla)
CPO Molalla
Garb/Recyc Molalla Sanitary
City/County Clackamas Co.

EXHIBIT A

Ordinance 2014-24
 Original Page 8 of 13

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01/30/2014

EXHIBIT A

Ordinance 2014-24
Original Page 9 of 13



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

**CORP PRES BSHP CH JESUS CHRIST LDS
 50 E NORTH TEMPLE ST 22 FLR
 SALT LAKE CITY, UT 84150**

Location Map:



Site Address: 13250 S HWY 211

Taxlot Number: 52E08C 01400

Land Value: 102687

Building Value: 1013540

Total Value: 1116227

Acreage:

Year Built:

Sale Date:

Sale Amount: 0

Sale Type:

Land Class:

401

Building Class:

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Site Characteristics:

UGB: MOLALLA

Flood Zone: Not Available

Zoning Designation(s):

Zone	Overlays:	Acreage:
RRFF5		3.15

RRFF5

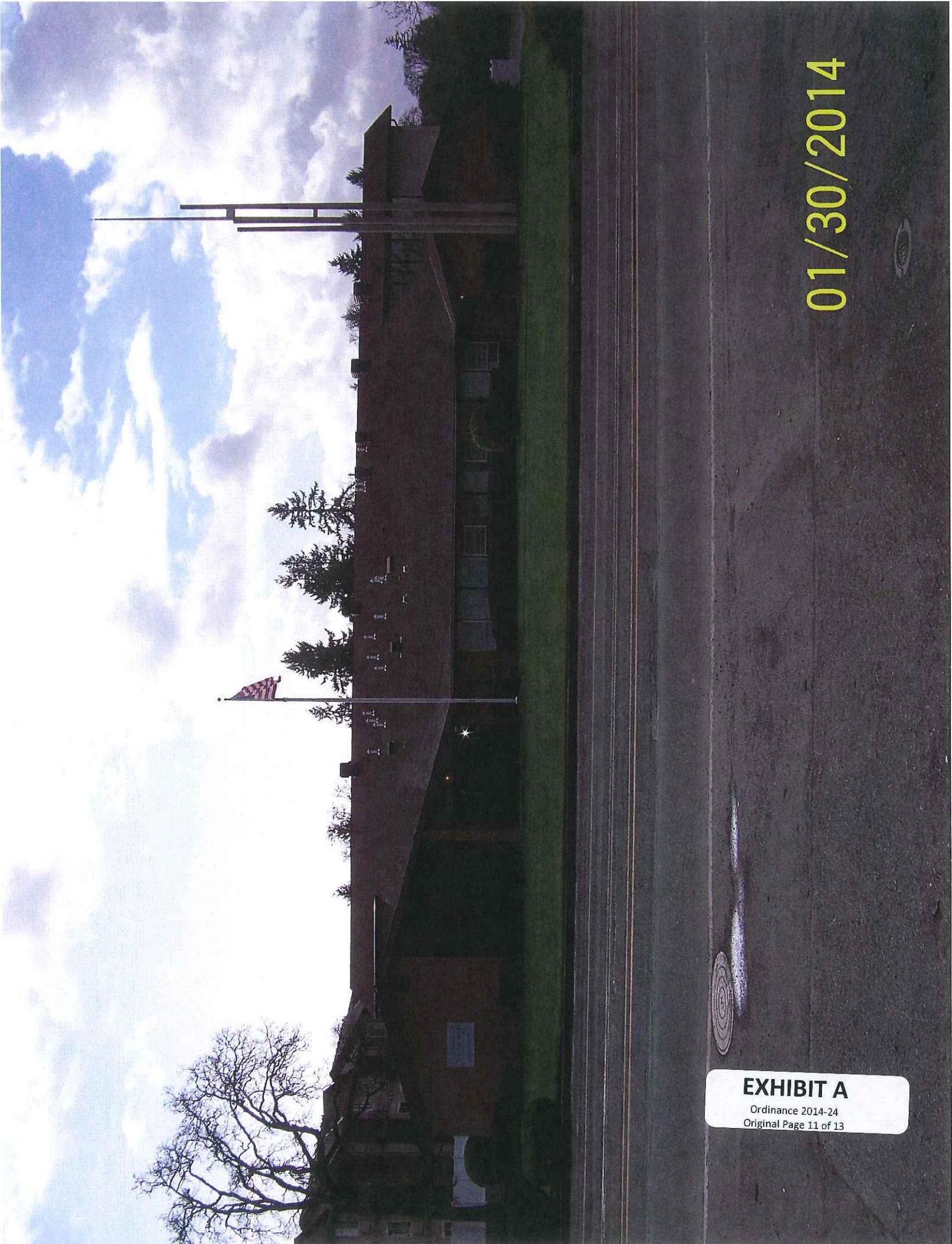
3.15

Fire	Molalla RFPD #73
Park	N/A
School	SCH 35 MOLALLA RIVER
Sewer	N/A
Water	N/A
Cable	Wave Broadband (Molalla)
CPO	Molalla
Garb/Recyc	Molalla Sanitary
City/County	Clackamas Co.

EXHIBIT A

Ordinance 2014-24
 Original Page 10 of 13

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01/30/2014

EXHIBIT A
Ordinance 2014-24
Original Page 11 of 13

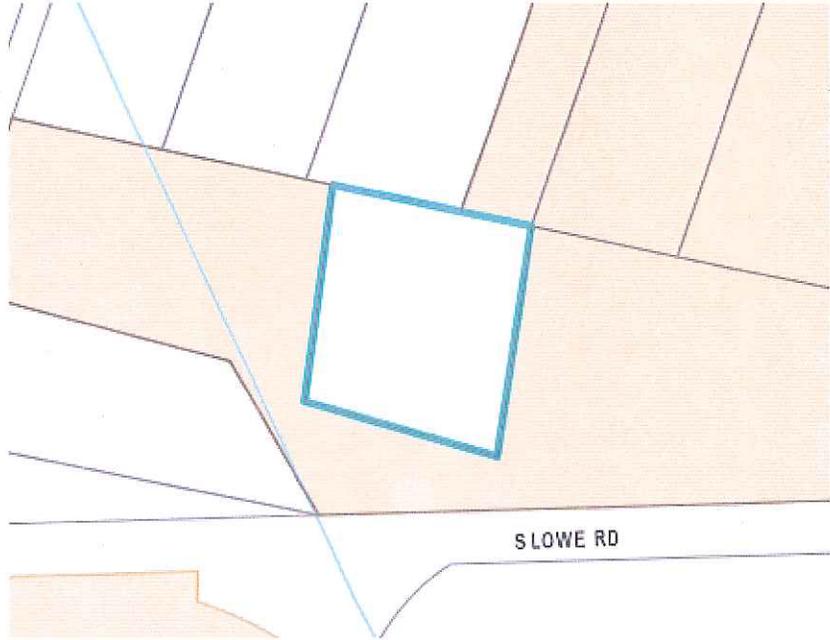


Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

CEMETERY PUBLIC
150 BEAVERCREEK RD
OREGON CITY, OR 97045

Location Map:



Site Address: **NO SITUS**
Taxlot Number: **52E08C 01900**
Land Value: **64109**
Building Value: **0**
Total Value: **64109**

Acreage:
Year Built:
Sale Date:
Sale Amount: **0**
Sale Type:

Land Class:
100
Building Class:
Neighborhood:
Molalla rural north 100,
Taxcode Districts: **035013**

Site Characteristics:
UGB: **MOLALLA**
Flood Zone: **Not Available**

Zoning Designation(s):
Zone Overlays: Acreage:
RRFF5 **1.57**

Fire: **Molalla RFPD #73**
Park: **N/A**
School: **SCH 35 MOLALLA RIVER**
Sewer: **N/A**
Water: **N/A**
Cable: **Wave Broadband (Molalla)**
CPO: **Molalla**
Garb/Recyc: **Molalla Sanitary**
City/County: **Clackamas Co.**

EXHIBIT A

Ordinance 2014-24
Original Page 12 of 13

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



01/30/2014

EXHIBIT A
Ordinance 2014-24
Original Page 13 of 13

CITY OF MOLALLA

ORDINANCE No. 2014 - 25

**AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA,
WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE
COMPREHENSIVE PLAN AND REZONING PROPERTY.**

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a tract of land being all of that tract of land described in that deed recorded as Document No 2006-119513, Clackamas County Deed records, all of that tract of land described in that deed recorded as Document No, 2003-082940, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 88-51498, all being a portion of Tract 39 of the Plat of "The Shave Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07A 02700

Tax Lot No. 52E07A 02601

Tax Lot No. 52E07A 02600

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

Section 2. The existing Clackamas County comprehensive plan designation, RC (Rural Commercial), is changed to a City plan designation of GC (General Commercial). This change is supported by maps attached and incorporated as Exhibit B.

Section 3. The existing Clackamas County zoning for the affected property, RRF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) and C-2 (Central Commercial) is changed to C-2 (Central Commercial). The properties are currently:

Tax Lot No. 52E07A 02700 Commerical – In Use

Tax Lot No. 52E07A 02601 Commerical – In Use

Tax Lot No. 52E07A 02600 Commercial – In Use

Therefore, In accordance with ORS 222.750, the properties listed in this ordinance are annexed into the City of Molalla immediately upon the effective date of this ordinance. The annexation is supported by findings entitled "CITY OF MOLALLA CITY COUNCIL FINDING OF FACT AND DECISION DOCUMENT" attached as Exhibit C.

Section 4. The territory is withdrawn from the following service/special districts: None noted.

Section 5. Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
4. Mail a notice summarizing this ordinance and describing the procedures to appeal this decision to those persons who appeared before the planning commission or city council.

Adopted this 23rd day of July by the City Council of the City of Molalla on a vote of _____ ayes and _____ nays.

Mayor Deborah Rogge

Attest this 23rd day of July 2014

City Recorder Sadie Cramer

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

31361, 31459 & 31465 State Highway 213
Annexation to the City of Molalla

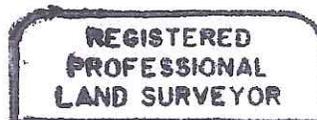
Exhibit A

A Tract of land being all of that tract of land described in that deed recorded as Document No. 2006-119513, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 2003-082940, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 88-51498, Clackamas County Deed Records, and a portion of State Highway 211, and a portion of State Highway 213, all being a portion of Tract 39 of the Plat of "The Shaver Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at 1/2 inch iron pipe found at the Southwesterly corner of said Tract 39 of said Plat of "The Shaver Place"; thence North 08°00'00" East, along the Westerly line of said Tract 39, a distance of 883.72 feet to the Northwesterly corner of said Document No. 2006-119513 tract; thence South 82°00'00" East, along the Northerly line of said Document No. 2006-119513 tract, a distance of 411.96 feet to a point on the Westerly right of way line of said State Highway 213; thence South 71°36'15" East, at right angles to said State Highway 213, a distance of 60.00 feet to a point on the Easterly right of way line of said State Highway 213; thence South 18°23'45" West, along said Easterly right of way line, and its Southerly extension, a distance of 913.57 feet to a point on the Easterly extension of the Southerly right of way line of said State Highway 211; thence South 79°30'00" West, along said Easterly extension, and along said Southerly right of way line, a distance of 302.73 feet to a point; thence North 10°30'00" West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said State Highway 211, said point also being on the Southerly extension of said Westerly line of said Tract 39 of said "The Shaver Place"; thence North 08°00'00" East, along said Southerly extension, a distance of 64.84 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 8.4710 acres (368,995 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Surveys 5498 and 11709.



Chris Fischborn

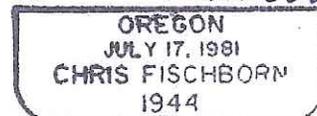
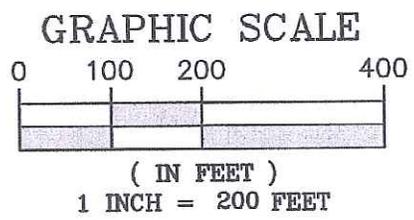
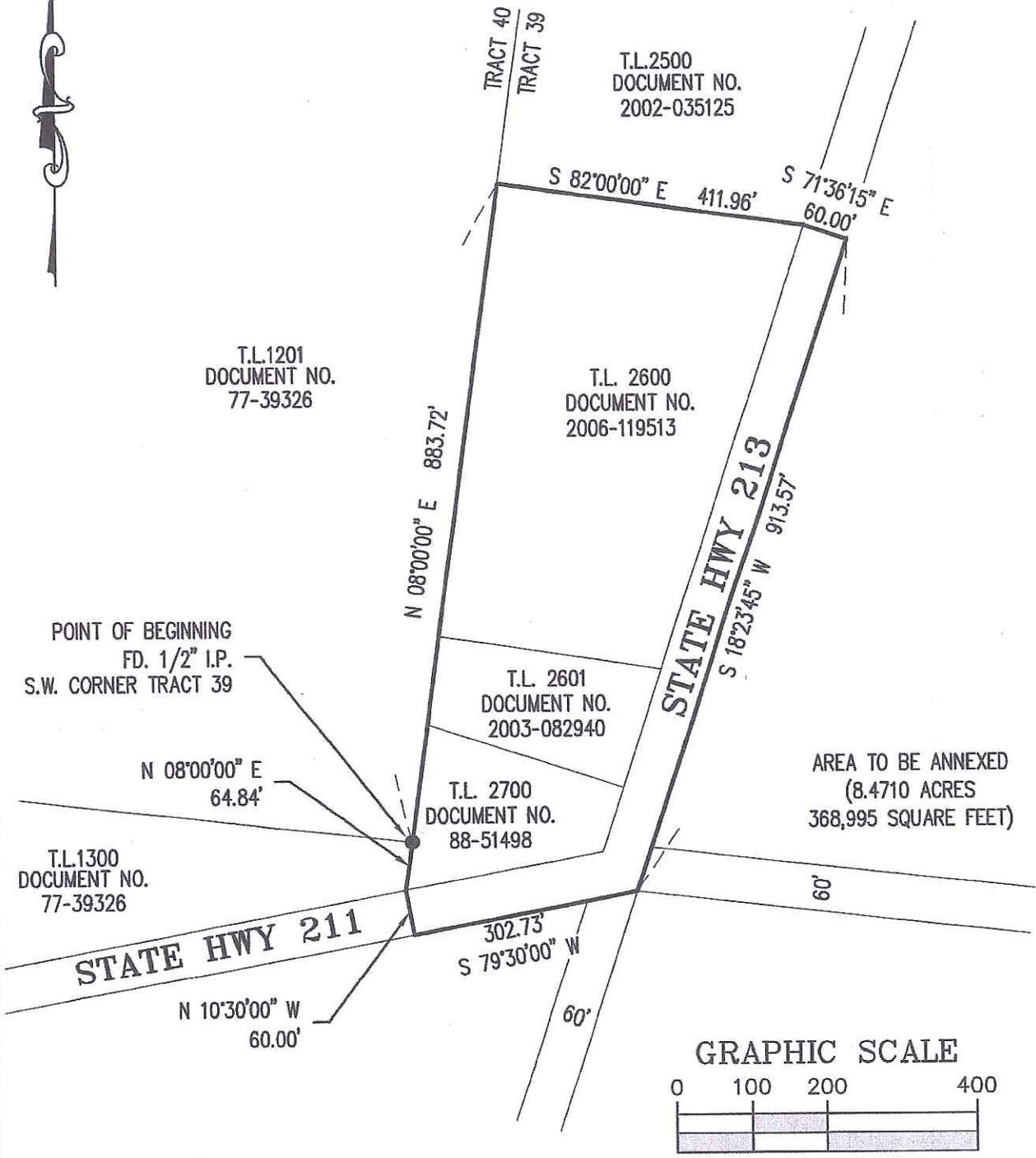


EXHIBIT A

Ordinance 2014-25
Original Page 1 of 9

31361, 31459 & 31465 STATE HIGHWAY 213
 CITY OF MOLALLA ANNEXATION
 EXHIBIT "B"



LOCATED IN THE N.E. 1/4 SECTION 7,
 T.5S., R.2E., W.M., CLACKAMAS CO., OR

TITLE: EXHIBIT "A"	
PLOT DATE: 1-31-14	
FILE: W1202-7T.DWG	
CLIENT: CITY OF MOLALLA	SHEET: 1 OF 1

ZTec ENGINEERS, INC.
 3737 S.E. 8TH AVE.
 PORTLAND, OREGON 97202
 (503) 235-8795

Cancelled Texts:

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- 200

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TexCode Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Center
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

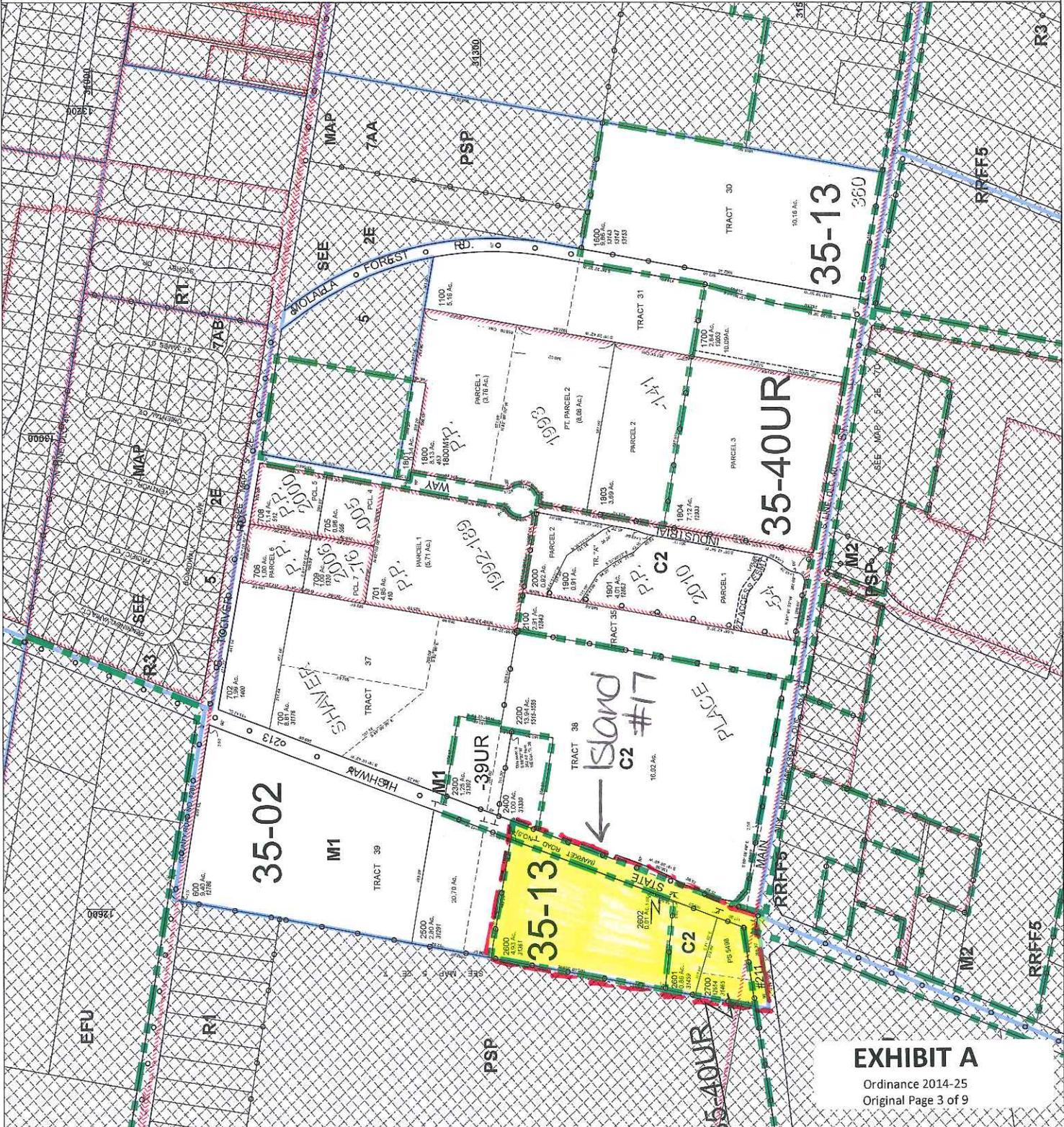


EXHIBIT A
Ordinance 2014-25
Original Page 3 of 9



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

DEARDORFF ALAN C
PO BOX 26
COLTON, OR 97017

Site Address: **31465 S HWY 213**

Taxlot Number: **52E07A 02700**

Land Value: **228883**

Building Value: **109690**

Total Value: **338573**

Acreage:

Year Built:

Sale Date: **12/01/1988**

Sale Amount: **0**

Sale Type:

Land Class:

201

Building Class:

Neighborhood:

Area 02 commercial

Taxcode Districts: **035040**

Fire **Molalla RFPD #73**
 Park **N/A**
 School **SCH 35 MOLALLA RIVER**
 Sewer **N/A**
 Water **N/A**
 Cable **Wave Broadband (Molalla)**
 CPO **City**
 Garb/Recyc **Molalla Sanitary**
 City/County **Molalla**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

<u>Zone</u>	<u>Overlays:</u>	<u>Acreage:</u>
C2		0.94

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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EXHIBIT A

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Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

HERIGSTAD GORDON
128 SHIRLEY ST
MOLALLA, OR 97038

Location Map:



Site Address: **31459 S HWY 213**

Taxlot Number: **52E07A 02601**

Land Value: **175762**

Building Value: **46580**

Total Value: **222342**

Acreage:

Year Built:

Sale Date: **06/30/2003**

Sale Amount: **225000**

Sale Type: **S**

Land Class:

201

Building Class:

Neighborhood:

Area 02 commercial

Taxcode Districts: **035040**

Site Characteristics:

UGB: **MOLALLA**

Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
C2		0.87

C2

0.87

Fire	Molalla RFPD #73
Park	N/A
School	SCH 35 MOLALLA RIVER
Sewer	N/A
Water	N/A
Cable	Wave Broadband (Molalla)
CPO	City
Garb/Recyc	Molalla Sanitary
City/County	Molalla

EXHIBIT A

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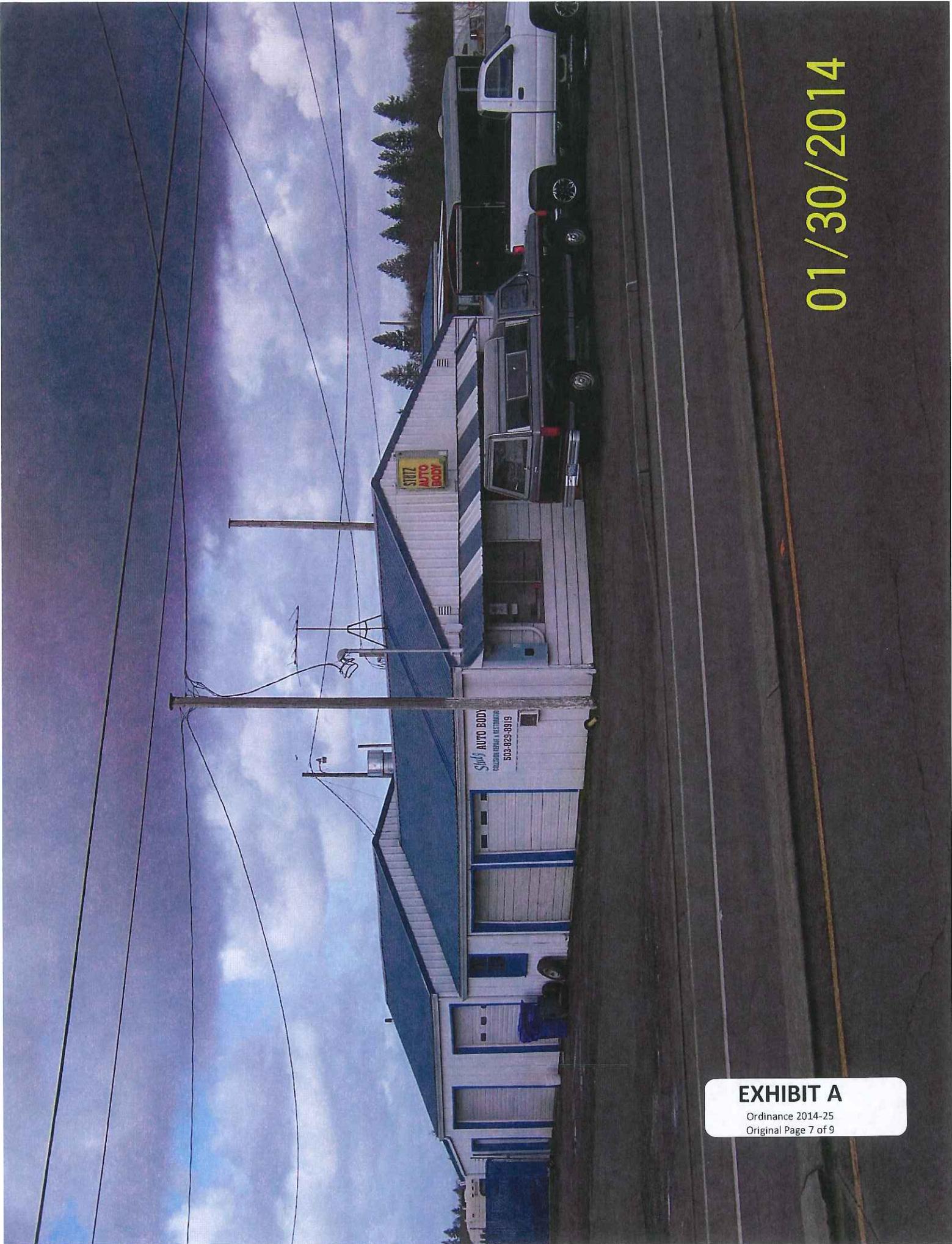


EXHIBIT A

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01/30/2014



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

LMRK GROUP LLC
PO BOX 601
WOODBURN, OR 97071

Location Map:



Site Address: **31361 S HWY 213**

Taxlot Number: **52E07A 02600**

Land Value: **209917**

Building Value: **246040**

Total Value: **455957**

Acreage:

Year Built:

Sale Date: **12/30/2009**

Sale Amount: **0**

Sale Type: **S**

Land Class:

201

Building Class:

Neighborhood:

Area 02 commercial

Taxcode Districts: **035013**

Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

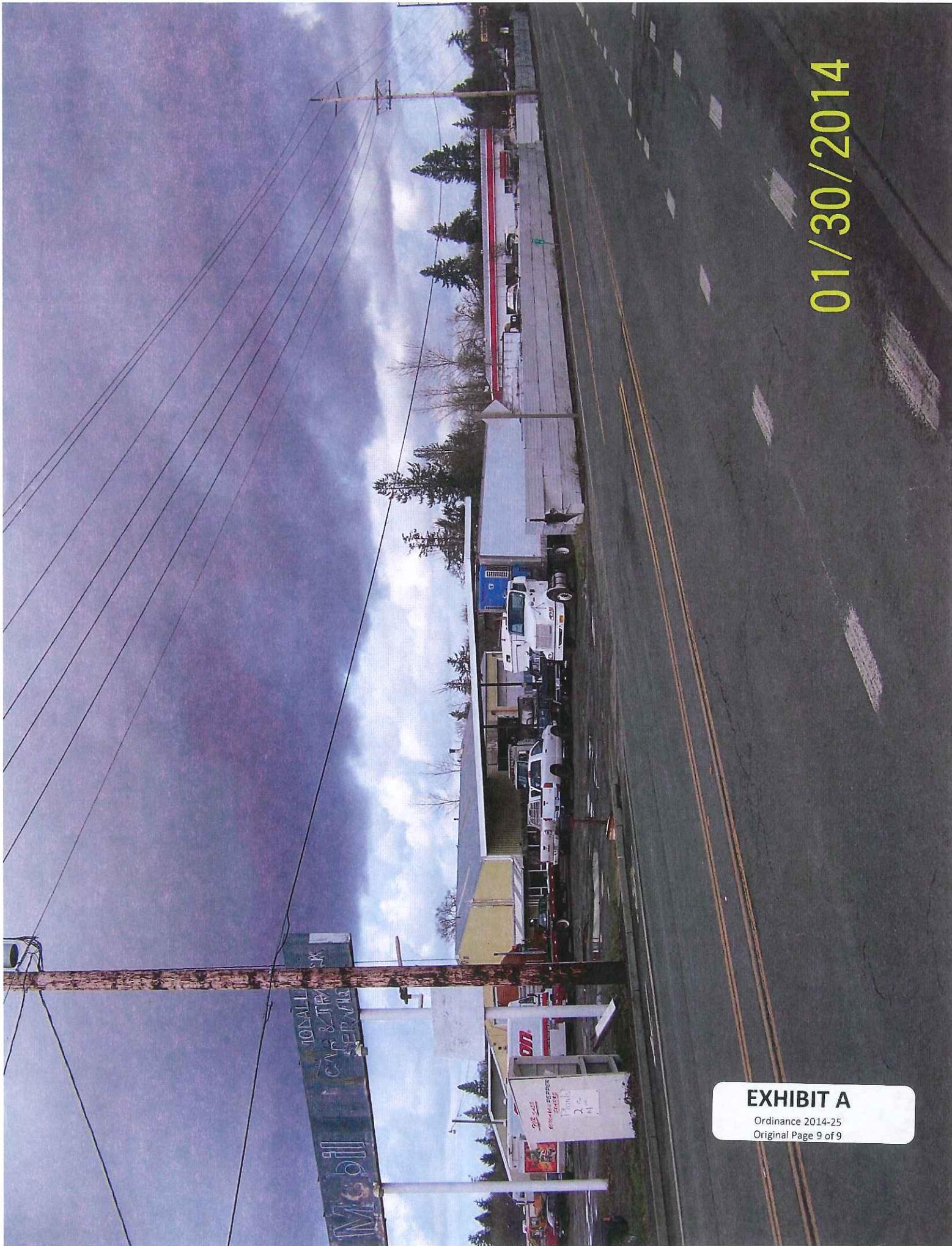
Zone	Overlays:	Acreage:
RRFF5		4.85

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **SCH 35 MOLALLA RIVER**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **Wave Broadband (Molalla)**
 CPO: **Molalla**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Clackamas Co.**

EXHIBIT A

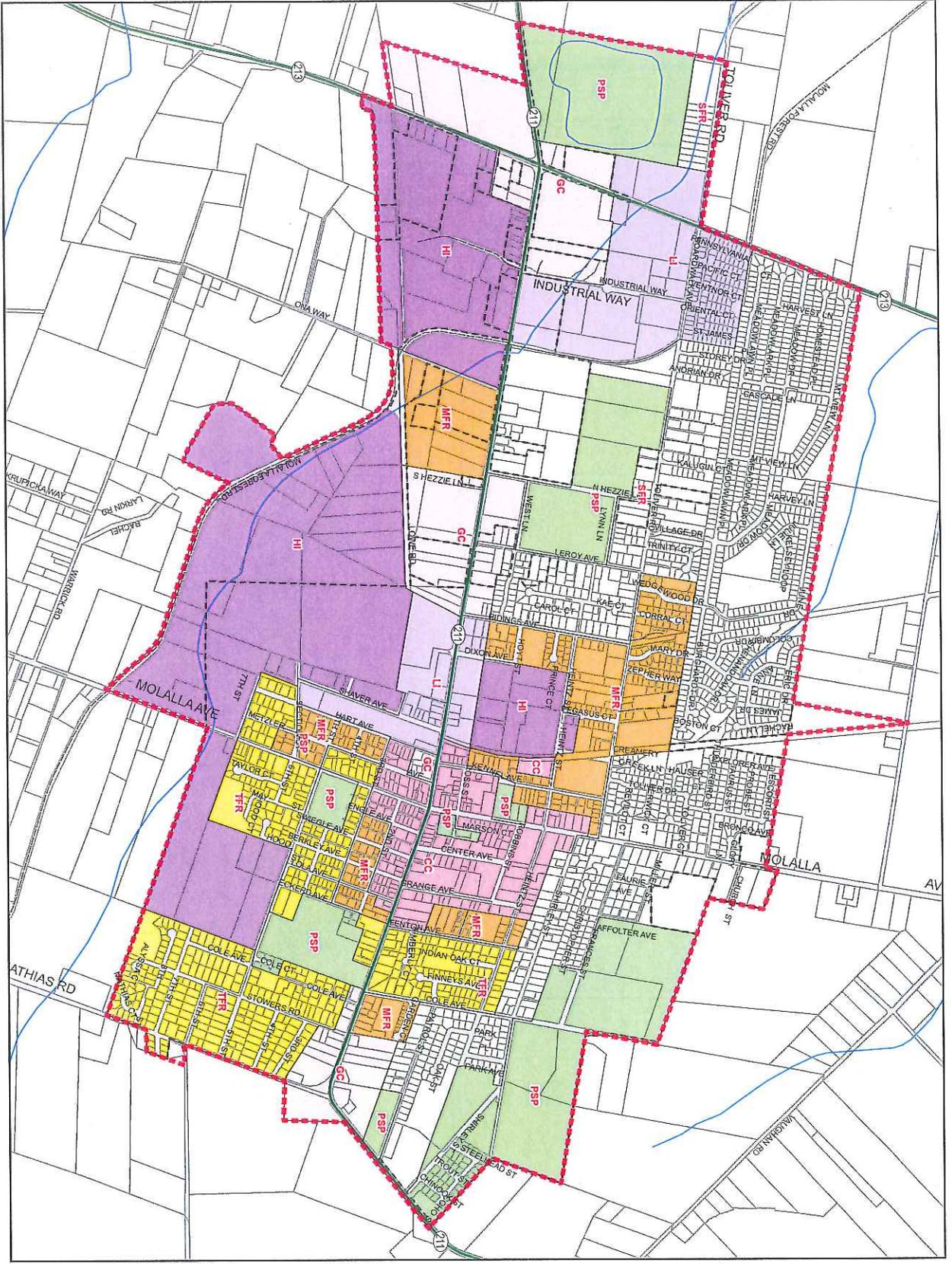
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City of Molalla

Comprehensive Plan

Adopted 1980

Legend

Comp. Plan Designations

- Single-Family Residential
- Two-Family Residential
- Multi-Family Residential
- Public or Semi-Public
- General Commercial
- Central Commercial
- Light Industrial
- Heavy Industrial

- Urban Growth Boundary
- City Boundary

1:12 800





CLACKAMAS COUNTY

DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES

GEOSPATIAL INFORMATION SYSTEMS

OFFICE OF THE COUNTY CLERK

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503.655.3300

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**CITY OF MOLALLA CITY COUNCIL
FINDINGS OF FACT AND DECISION DOCUMENT**

**LEGISLATIVE ISLAND ANNEXATIONS, COMPREHENSIVE PLAN
AMENDMENTS AND ZONE CHANGES**

In the Matter of a City initiated)	File No. P-6-14
Legislative island annexation and)	Island Annexation,
Zone change of 96 proerties)	Zone Change and
Located within the Molalla Urban)	Comprehensive Plan
Growth Boundary.)	Amendment

A. SUMMARY

This Findings of Fact and Decision Document is in regards to a legislative city initiated island annexations, plan amendments and zone changes that requires the Molalla Planning Commission to make certain land use decisions and recommendations to the Molalla City Council prior to a final Council ordinance adoption. This particular action involves 96 properties located within the Molalla Urban Growth Area (UGA) that meet statutory definitions of islands that can be annexed by the City of Molalla without the owner’s consent. The islands are identified in Exhibit A. The Council found that by examining the water and sewer connection map and property spreadsheet (Exhibits C & D) that 42 of the identified properties are fully served by the City of Molalla with water and sewer service and 18 have partial city services.

B. GENERAL INFORMATION

Based on the attached map(s) (Exhibits A, B and C) and spreadsheet (Exhibit D) the City Council’s deliberation of this matter affects 96 individual properties throughout the west portion of the City of Molalla Urban Growth Area. All properties were mailed an individual public notice (Exhibit E) and provided a map (Exhibit A) to identify their individual ownership. Public notice was provided in the Molalla Pioneer and posted on the City website. Notice to the Department of Land Conservation and Development (DLCD) was also provided within the required notification timeframe.

The subject properties are “islands” as defined in ORS 222.750 (Exhibit F). That is, each is either fully surrounded by Molalla’s corporate boundary or by the boundary and a body of water. No participant in the process claimed any of the 96 properties did not meet the definition of an “island” under ORS 222.750.

Each of these properties will receive the appropriate city zoning designation and comprehensive plan designation each in compliance with the Comprehensive Plan as shown on the spreadsheet.

Based on the following Findings, Council finds that the island annexation and accompanying land use changes comply with applicable approval criteria.

C. PROCEDURES

This action is specific to the identified 96 properties and will not affect other properties not shown nor shall approve development of the properties identified. This is a legislative action but because the City is annexing properties with the owners' consent, utilizing a quasi judicial hearing process is warranted. During their respective hearings, the Planning Commission and City Council received the staff report, took written and verbal testimony, considered facts and criteria and rendered a decision based on the information available.

D. PARTY STATUS

The following affected property owners within the island boundaries requested and were granted party status during the June 4, 2014 Planning Commission proceeding:

Patricia Torsen	31615 S. Hezzie Lane
Carol Maloy Et Al	14550 S. Claim Road
Harry Russell	13053 S. Highway 211 (Represented by John Henrickson)
Dale Newcomb	P.O. Box 2579, Lebanon, OR 97355
Cedric Hansen	13325 S. Highway 211
Curtis Cruikshank	13303 S. Highway 211
Pam Fleskes	725 W. Main Street
Randy Burley	12763 S. Crompton Lane
John Hekala	12754 S. Highway 211
Nancy Butler	133 NW Trinity Place #4, Portland, OR 97209

The following people addressed the Commission but did not request nor were they granted Party Status:

Susan Hansen	33381 S. Sawtell Road
Jim Taylor	29480 S. Holt Road, Colton OR
Gayla Hansen	38973 S. Sawtell Road

The following affected property owners within the island boundaries requested and were granted party status during the July 9, 2014 City Council proceeding and spoke in favor of the proposal:

Carol Maloy, 14550 S. Claim Rd
Ed Campy, 724 W. Main
Nancy Butler, 718 W. Main

The following affected property owners within the island boundaries requested and were granted party status during the July 9, 2014 City Council proceeding and spoke in opposition of the proposal:

Dale Newcomb, 12843 S. Hwy 211
 Rudy Baurer, 823 Toliver Rd
 Harry Russell, 13053 S. Hwy 211
 Curtis Cruikshank, 13303 S. Hwy 211

E. PROCEDURAL FINDINGS

1. The City of Molalla is initiating the annexation of 96 individual properties located within the Molalla Urban Growth Area. The process will also include zone changes and comprehensive plan amendments for all 96 properties from Clackamas County zoning and comprehensive plan designations to a compliant City of Molalla zoning district and comprehensive plan designation as detailed on the attached zoning map (Exhibit B) and property attribute spreadsheet (Exhibit D).
2. Notice of Proposed Land Use Regulation Amendment (DLCD Form 1) was electronically mailed to the Department of Land of Conservation and Development (DLCD) on April 25, 2014.
3. The City Council finds that on April 29, 2014 Notice of Public Hearing before the Molalla Planning Commission and City Council was mailed to all record owners of the property proposed to be annexed and rezoned. The Notice was published in the Molalla Pioneer on May 14, 2014 and posted on the City of Molalla Website.
4. The City of Molalla received two letters of written testimony or correspondence from property owners concerning the proposed annexation and zone change.
5. This matter came before the Molalla Planning Commission for consideration on June 4, 2014 and the City Council on July 9, 2014. The Planning Commission and City Council received the staff report, and heard public testimony.

Conclusion: The procedural findings noted above are adequate to support the City Council's decision on the annexation, comprehensive plan amendment and zone changes.

F. DECISION CRITERIA AND SUBSTANTIVE FINDINGS OF FACT

Chapter 222.750 of the Oregon Revised Statutes (ORS) provides procedures for annexation of unincorporated territory surrounded by Cities. In addition, state statute requires that proposed amendments to Molalla's Comprehensive Plan Map and Zoning Map be consistent with the Statewide Planning Goals. Finally, the City's Development Code contains criteria governing annexations, comprehensive plan amendments and zone changes at Sections 19.22.030 and 19.28.030(B), respectively.

The annexation, comprehensive plan amendment and zone changes are measured here against these state and local criteria. The results of this analysis are presented as proposed Findings of Fact below.

COMPLIANCE WITH MUNICIPAL CODE CHAPTER 19.22 (ANNEXATIONS)

The city's code states a policy governing when annexations are appropriate. Molalla Municipal Code Section 19.22.020 states as follows:

It is the policy of the City that annexation decisions should be made consistent with the procedures set forth in this Chapter and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. The annexation complies with the provisions of this Chapter;
2. The annexation will provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City;
3. The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;
4. The annexation will be clearly to the City's advantage in controlling the growth and development plans for the area

The Council finds that the proposed island annexations comply with this policy as follows. The annexations comply with Chapter 19.22 as more fully discussed below. The annexations will necessarily and intentionally "eliminate . . . islands of unincorporated property, and contribute to a clear identification of the City." The annexations will also permit the City to control development on the properties being annexed, as the City's development regulations will now apply to them. While precise revenue figures are not available, the City's revenues will increase as a result of the annexations. Because the City is currently serving almost half of the properties being annexed, the annexations will greatly reduce the costs of serving such properties as they will eventually pay property taxes to the City at the City's rate.

The criteria contained in 19.22.030 may apply to these annexations. The reason it is not clear is that the City's code at 19.22.100 separately addresses island annexations such as these, and simply requires island annexations to comply with state law. For island annexations, the Council interprets its code to require compliance only with state law and not the criteria identified at 19.22.030. The Council believes that state law clearly places a priority on cities serving such islands, given that a city may forcibly annex islands without the property owner's consent. This is sound policy because such islands create confusion with respect to service delivery and undermine a land use system that encourages cities to provide urban services to property.

However, if it were determined that the criteria at 19.22.030 did apply to these annexations, the Council finds the proposal satisfies those criteria regardless. The code at 19.22.030 states as follows:

- A. The following criteria shall apply to all annexations whether initiated by property owners or the City:
1. The subject site must be located within the Molalla Urban Growth Boundary.
 2. The subject site must be contiguous to the existing Molalla City limits.
 3. The requirements set forth in the Oregon Revised Statutes for the initiation of the annexation process must have been met.
 4. The proposed use for the site must comply with the designation on the Molalla Comprehensive Plan map. If a re-designation of the Plan map is requested concurrent with annexation, the applicant must apply for and the City must use the procedures for an amendment to the Comprehensive Plan as provided in Chapter 19.28 of this code.
 5. An adequate level of infrastructure for sewer, water, roads and parks must be available or made available within three years of annexation.
 6. An adequate level of police and fire services must be available to serve the subject site.

The Council finds the proposed annexations satisfy each of the above criteria as follows. All of the properties are within the Molalla Urban Growth Boundary and are necessarily contiguous to the City limits because the City's corporate boundary surrounds the properties. As discussed throughout these findings, the City has satisfied state law with respect to the initiation of this process.

There are no "proposed" uses for the properties because the uses that currently occur on the properties will continue to occur once annexed into the City. The ordinances the Council adopts expressly recognize that the City will permit the existing uses to persist as non-conforming in accordance with the City's non-conforming use standards. Regardless, the ordinances amend the properties' comprehensive plan designations consistent with the City's conceptual designations and in accordance with the City's criteria governing comprehensive plan amendments.

The Council finds the City has an adequate level of infrastructure for sewer, water, roads and parks to serve the properties and no evidence or testimony undermines this finding. Each property is already served with existing roads and parks and annexing the properties will ensure that the property owners pay their fair share for the maintenance of such roads and parks in the future. The City already serves many properties with sewer and water. For those that are not connected to sewer and water, the record demonstrates that it is currently feasible for each of the properties to connect to those services. However, the Planning Commission and City Council received testimony from some property owners concerned about the cost of connecting to sewer and/or water. Many of these property owners reside along Highway 211 and would likely need to bore underneath the highway in order to connect to these utilities. The Council received testimony that such costs could reach \$15,000.

In order to lessen the financial burden on such property owners, the Council determined that the annexed properties would have five years to connect to water and sewer. In order to encourage property owners to connect to these services as soon as possible, and as discussed further below, the Council determined it would waive or reduce water and sewer SDCs for the annexed properties depending on how quickly a property connected to the service. Again, the Council finds there is currently an adequate level of sewer and water infrastructure to serve the annexed properties. The City has excess capacity to process the additional sewage the currently unserved properties will create and it has plenty of water to serve those properties that do not currently receive it. The requirement that individual properties connect to the available infrastructure in five years does not undermine this finding. It merely recognizes the financial impact of doing so and grants the property owners a fair amount of time to save for that cost, and the City encourages such owners to connect as soon as possible through waived or reduced SDCs if they connect within the first three years.

Finally, the Council finds there is an adequate level of police and fire services to protect the properties. The Molalla Fire District will continue to serve the properties after annexation and the Molalla Police Department has historically responded to service calls to the annexed properties.

To the extent the criteria in 19.22.030(A) are applicable to these island annexations, the Council finds that this proposal meets them.

COMPLIANCE WITH ANNEXATION PROCEDURES OF ORS CHAPTER 222.750

Chapter 222.750 of the Oregon Revised Statutes provides the procedures for annexing unincorporated territory to the City of Molalla (Exhibit F).

The findings in Section B, above, describe why each of the properties being annexed is an “island” as that term is defined in ORS 222.750(2). The statute expressly permits a city to annex such islands “without the consent” of an island’s property owner, unless its charter requires the owner’s consent. ORS 222.750(4). Molalla’s charter does not require an owner of island property to consent to the City’s annexation of such property.

The statute also requires a city to delay the effective date of an island annexation for no less than three years and no more than 10 if the property is “zoned for, and in, residential use when annexation is initiated by the city.” ORS 222.750(5). The record reveals that the City took great care in determining which of the 96 properties are entitled to a delayed effective date of annexation. Ultimately, the ordinances the Council adopts to annex the islands establishes a three year effective date for those properties entitled to a delay, unless ownership of the property changes hands, in which case the islands are immediately annexed to the City. ORS 222.750(6).

Finally, ORS 222.750(8) states that a city must hold an election on the annexations if its charter or an ordinance or resolution require a vote. The City’s charter at Chapter X expressly states that a vote is only required for annexations “that are initiated by property owners.” The City’s code at 19.22.010 and 19.22.080 clarify that an election is not required for any City initiated annexations. Because the City initiated these island annexations, neither its charter nor its code

requires an election. Therefore, in accordance with ORS 222.750(8), the City is not required to hold an election on the island annexations.

Finding: The subject annexation and zone change complies with ORS 222.750 and has been reviewed by legal counsel for legal and case law purposes.

ORS 222.111(2) provides that *“A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.”*

Finding: The City Council of the City of Molalla by its own motion has initiated this action as a legislative body and the action complies with statutory requirements.

Conclusion: The annexation and zone change proposal conforms to the procedures provided by ORS Chapter 222.750 for annexation of unincorporated territory surrounded by the City of Molalla.

CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement. To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Findings: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. On April 29, 2014, City staff mailed copies of a Notice of Public Hearing and map to all owners affected by this action (Exhibit E). The same notice was published in the Molalla Pioneer on May 14, 2014. Written information and/or Staff Report was available seven days prior to the June 4, 2014 public hearing at Molalla City Hall. Moreover, the City gave notice of and held a hearing before the City Council on July 9, 2014.

Conclusion: Statewide goal of citizen involvement has been met through the mechanisms described above.

Goal 2: Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Molalla’s acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan, implementing ordinances and State Law provide criteria by which the proposed island annexation

will be processed. All of the subject properties are within the Molalla Urban Growth Area.

Goal 2 also requires local governments to coordinate their respective planning activities. The City notified Clackamas County of the proposed island annexations and has worked closely with the Clackamas County Assessor's Office to develop the ordinances approving the annexations in order to ensure the properties are placed on the City's tax rolls in accordance with County policy and relevant law.

Conclusion: Statewide goal of land use planning has been met through the use of Molalla's acknowledged Comprehensive Plan, implementing ordinances, its coordination with Clackamas County and State Law

Statewide Planning Goals 3 and 4 have been combined for the purposes of this Staff Report as follows:

Goal 3: Agricultural Lands. To preserve and maintain agricultural lands.

Goal 4: Forest Lands. To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land....

Finding: Neither Goal 3 or 4 apply to this action because all properties are within the Molalla UGA and none of the properties have agricultural or forest Comprehensive Plan designations.

Conclusion: The proposed zone changes will not adversely impact agricultural lands as defined by Statewide Planning Goal 3, or forest lands as defined by Goal 4 nor do either of these Goals apply.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources. To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within the Molalla UGA have previously been inventoried and evaluated. The subject properties except one are all designated for urban development

and many of these properties are currently developed at an urban level. The one exception is the Pioneer Cemetery currently owned and under the jurisdiction of Clackamas County. The annexation and zone change will not affect ownership or jurisdictional responsibility of the Pioneer Cemetery.

Conclusion: The island annexation and zone changes will not conflict with or adversely impact Goal 5 and are consistent with Goal 5.

Goal 6: Air, Water, and Land Resource Quality. To maintain and improve the quality of air, water and land resources of the State.

Finding: Statewide Planning Goal 6 requires that waste and process discharges from future development, combined with that of existing development, do not violate State or Federal environmental quality regulations. The annexation and rezoning does not approve development activity and the current uses of the property will not generate waste streams that are significantly more adverse to the environment and the City's treatment capacity than would be the case if the property remained unincorporated.

The City has regulations in place to control the generation and disposal of wastes, and the properties are or either can be served by City water and sewer service once annexed. Therefore, the proposed annexation and rezoning is not expected to have any deleterious effects on the quality of the air, water, or land resources of the State. Existing state, federal, and local land use and environmental standards will be sufficient to ensure that subsequent land use activities regarding current and future development will be conducted in a manner that is consistent with, and will achieve the purpose of Goal 6.

Conclusion: The requested annexation and zone changes are consistent with Statewide Planning Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Finding: The subject properties contain relatively flat topography similar to the balance of Molalla and are not within a special overlay zone or in an area that is designated as susceptible to flooding or other natural hazards. Any new development on any of the properties will be required to comply with development standards, building codes and public safety requirements. These existing regulations serve to ensure the protection of life and property.

Conclusion: Based on the above findings, the requested map amendments will be consistent with Goal 7.

Goal 8: Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the citing of necessary recreational facilities including destination resorts.

Finding: The subject property has not been designated by the City of Molalla or Clackamas County as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The property is currently zoned by the City and Clackamas County for urban development with no special geographic or natural advantages for recreational use.

Conclusion: The requested annexation and zone change will not adversely affect recreational opportunities within the City limits or urban growth boundary. The proposal is consistent with Goal 8.

Goal 9: Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

OAR 660-009-0010(4) applies to this decision. That rule states:

For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:

(a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or

(b) Amend its comprehensive plan to incorporate the proposed amendment, consistent with the requirements of this division; or

(c) Adopt a combination of the above, consistent with the requirements of this division.

In this instance, the City is not changing the plan designation of land greater than two acres in size from an industrial use designation to a non-industrial use designation or another employment use designation to any other use designation. Therefore, the decision complies with OAR Chapter 660, division 9.

Finding: The subject properties are located inside the City's UGB, and planned for urban development. Annexation and compliant zoning does not approve development but will have the effect of allowing future urban development pursuant to current

development standards and regulatory compliance of these properties within the city limits of Molalla.

Conclusion: The Statewide goal of providing adequate economic opportunities will be met by approving the request.

Goal 10: Housing. To provide for the housing needs of citizens of the State.

Finding: The proposed annexation and zone change includes a variety of fully developed, partially developed, nonconforming developed and vacant residential, commercial and industrial land. For example, Trinity Estates is a fully served and developed city standard subdivision. Each of these properties is within the UGB and the residential land is included within the current Buildable Lands Inventory as developable and urbanizable land.

Conclusion: The proposed annexation and zone changes are therefore consistent with Goal 10.

Goal 11: Public Facilities and Services. To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: Most of the properties are currently served or partially served with urban levels of water and sewer service from the City of Molalla (Exhibit C & D). Specifically, the 96 properties are served with water and sewer as follows:

Fully served with water and sewer	42
Partially served with one service	18
Developed with no service	16
Vacant or undeveloped	20 (Includes Pioneer Cemetery)

Currently, there are water and sewer mains located within a reasonable distance from all properties identified as part of this action. All properties are located within the infrastructure planning areas for the City of Molalla.

Conclusion: Based on the above findings, Staff concludes that the proposal is consistent with Statewide Planning Goal 11.

Goal 12: Transportation. To provide and encourage a safe, convenient, and economic transportation system.

OAR 660-012-0060 states as follows:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The Council finds the island annexations will not “significantly affect” any transportation facilities. The decision neither changes the functional classification of a transportation facility nor does it change any standards implementing a functional classification system. This decision does not affect or amend the City’s TSP or any code provisions implementing the TSP. Therefore, if the decision does significantly affect a transportation system, it would mean the decision would either: (i) result in types or levels of travel or access that are inconsistent with a facility’s classification; (ii) result in the degradation of the performance of a facility projected to meet performance standards during the planning period; or (iii) result in the degradation of the performance of a facility not projected to meet performance standards during the planning period.

The City's TSP accounts for the islands and their development potential under City zoning. Therefore, the Council finds no inconsistency between the type of travel that will result from the islands and the classifications of the City's streets. In addition, the TSP did not predict that the islands, when annexed to the City and developed pursuant to City zoning, would degrade any transportation facility. Therefore, the Council finds the decision does not violate OAR 660-012-0060.

Finding: This action is not for the purpose of approving development activity and only includes the annexation and zone change to compliant zones for each of these properties. All properties are located within the UGB and have been included within the current Transportation System Plan as well as the unacknowledged Downtown Molalla Development and OR 211 Streetscape Plan. This action alone will not lead to a change in the existing level of service or otherwise have a significant impact on the transportation system.

Conclusion: Future development that includes providing access to the properties will be addressed by the City at the time a specific development proposal is reviewed. Based on the above finding, the annexation and zone change are consistent with Statewide Planning Goal 12.

Goal 13: Energy Conservation. To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Properties included in this action are either currently or partially served with all forms of energy available within the Molalla UGB. The proposal is consistent with principles of efficient land use and energy efficiency.

Conclusion: The annexation and zone changes are consistent with Goal 13.

Goal 14: Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

Finding: The 96 properties are all "urbanizable land" and located within the Molalla UGB and do not include any rural designated land based on Goal 14 language. Provisions of this Goal have been previously met through the acknowledgment of the City's UGA certifying compliance with Goal 14 and the ability to provide urban services

Conclusion: The annexation and zone changes are consistent with the purposes and intent of Statewide Planning Goal 14.

G. COMPLIANCE WITH CITY OF MOLALLA ZONE CHANGE CRITERIA

Section 19.7.300 (B) of the Molalla development Code (*Zone Changes*) provides the following criteria for approving a zone change:

1. *Approval of the request is consistent with the Statewide Planning Goals;*
2. *Approval of the request is consistent with the Comprehensive Plan;*
3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and*
4. *The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding property which is the subject of the application; and*
5. *The amendment conforms to applicable administrative rules of the Oregon Land Conservation and Development Commission, including the transportation planning rules.*

The Council recognizes that this action is a Legislative Action and does not necessarily have specific criteria. However, quasi-judicial zone changes require the process as detailed above and provide guidance for a fully processed decision. Much of the criteria has been discussed previously and to reduce redundancy this document will refer to previous statements when applicable.

Criteria #1 Statewide Planning Goals: See Section II.

Criteria #2 Comprehensive Plan Consistency: The proposed zone changes conform to the Molalla Comprehensive Plan including both the map and written policies by virtue of the map amendments and zone changes occurring as part of this action. Each of these properties has been located within the Molalla UGB since the creation of the boundary and have been included as part of all full build out plans throughout the planning period.

Criteria # 3 Public Facilities: The discussion under Section II Statewide Planning Goal 11 highlights this criteria as part of the Statewide Planning Goal section. But to reiterate the properties identified as part of this action are either fully served or partially served with existing city services including water, sewer, streets and storm drainage. The annexation and zone change by itself will not create any additional need for public facilities and services, subsequent development almost certainly will. However, the extent to which additional public facilities and services is required to serve the property will be determined at the time of development.

Criteria #4 Public Interest: The public interest regarding this matter is in the form of development consistency and equity. Highway 211/Main Street is the gateway to Molalla and varying development standards, enforcement and taxation has created an inconsistency for current city residents. This action will apply uniform development standards, enforcement and taxation throughout the developed City of Molalla.

Criteria #5 OAR Compliance: See Section II

Finding: The proposed annexation and zone changes for the 96 properties comply with provisions identified in the Molalla Development Code.

H. CONCLUSION

The City Council recognizes that the Planning Commissions found this proposal to be in compliance with the following decision criteria:

1. This proposal complies with Oregon Statewide Planning Goals.
2. Properties affected by this proposal can be adequately served by urban services.
3. This proposal complies with the Comprehensive Plan.
4. This proposal complies with applicable Oregon Administrative Rules.

Based on the foregoing findings the City Council concurs with the Planning Commission that the proposed action complies with the Statewide Planning Goals, can be served with urban levels of service, complies with the Molalla Comprehensive Plan and complies with applicable OAR's.

However, the City Council has chosen to modify the Planning Commission's recommendation to Council of the following:

1. **That Council GRANT a 10-year timeframe to connect to water and waste water services for those properties without water or sewer service and properties with one facility connection.**
2. **That Council consider a 10-year city property tax ramp-up period for residential properties without city water and sewer service and those residential properties with only one service.**

Following deliberation Council amended the Planning Commission's recommendations to reflect the following:

1. **Graduated taxes** – Based on legal information from the Clackamas County Assessor as well as Molalla legal counsel, variable graduated tax rates are not allowable. All properties will fall into the statutory rate increase, if any, based on zoning and usage. Therefore, all properties will annex immediately and will be on the 2015 tax rolls with the exception of those zoned residential and in use as a residence, those properties will annex in 3 years (by State statute) unless the property sells and then it will annex immediately.
2. **Water and Sanitary Sewer hook-ups** – The City will require that properties without one or both water and sanitary sewer service have the hook-up to those services completed within five (5) years of the service becoming available.
3. **Available Service definition** – Available service will be defined as water and sewer service to the property owner's property line.

4. **Fees** – The following fee scale shall be used for new water or sewer SDC hook-ups within the annexed area:
 - a. 0 months to 12 months from the date connections are available – No SDC fee
 - b. 13 months to 36 months from the date connections are available – 50% of the SDC fee rate adopted by City Council at time of connection.
 - c. 37 months to 60 months from the date connections are available – 100% SDC fee rate adopted by City Council at time of connection.
5. **Utility Connection fees** (currently \$600 per utility) will not be waived. This fee is subject to change and the property owner will be assessed the adopted fee at time of connection.
6. **Well or Septic Failure** – Property owners will be required to hook-up to the respective water or sanitary sewer service upon individual well or septic system failure.

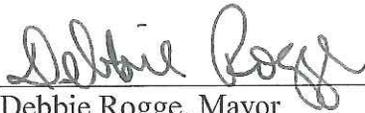
DECISION

The Molalla City Council **APPROVES** Island Annexation, Comprehensive Plan Amendment and Zone Changes identified in File No. P-6-14 and includes the following as part of their decision:

1. **Graduated taxes** – That all properties will fall into the statutory rate increase, if any, based on zoning and usage. Therefore, all properties will annex immediately and will be on the 2015 tax rolls with the exception of those zoned residential and in use as a residence, those properties will annex in 3 years (by State statute) unless the property sells and then it will annex immediately.
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DATED this 9th Day of July, 2014.



Debbie Rogge, Mayor



Sadie Cramer, City Recorder